



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS  
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY  
THE DIRECTOR OF ENVIRONMENT AND COMMUNITY SERVICES**

**CIRCULATED SCHEDULE NO. 01/15**

**Date to Members: 31/12/14**

**Member's Deadline: 08/01/2015 (5pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by the Planning and Transportation Committee on 21 November 1996. The procedure is designed to increase the effectiveness and efficiency of the Development Control Service. Under the arrangement reports are circulated on a weekly basis.

The reports assess the application, consider representations which have been received, and make a recommendation regarding the proposal. The procedure is designed to ensure that Members are aware of any concern expressed by interested parties in their ward and indicate a recommendation.

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **by email within five working days of the publication of the schedule (by 5pm)**. If there has been no member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule. **Before referring an item to the Committee, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee**

**PLEASE NOTE: THE CIRCULATED SCHEDULE PROCESS IS ONLY OPEN  
TO THE ELECTED MEMBERS OF SOUTH GLOUCESTERSHIRE COUNCIL.**

## **NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS**

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (e.g., if the schedule is published on a Friday, comments have to be received by the end of Thursday) (see cover page for the date).

To refer an application(s) members are asked to email [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

## **GUIDANCE FOR 'REFERRING' APPLICATIONS**

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application and in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Management Technical Support Team. Please note a copy of your referral e mail will appear on the website. **If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.**
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

# CIRCULATED SCHEDULE 31 DECEMBER 2014

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>PK14/0340/O</b>	Approve with Conditions	Land At Lower Chapel Road Hanham South Gloucestershire BS15 8SH	Hanham	Hanham Parish Council
2	<b>PK14/3511/F</b>	Approve with Conditions	Peg Hill Skate Park Peg Hill Yate South Gloucestershire BS37 7BW	Yate North	Yate Town
3	<b>PK14/3997/F</b>	Approve with Conditions	37 Conham Hill Hanham South Gloucestershire BS15 3AW	Hanham	Hanham Parish Council
4	<b>PK14/4360/CLE</b>	Approve with Conditions	Bed Boutique 8 Horse Street Chipping Sodbury South Gloucestershire BS37 6DB	Chipping	Sodbury Town Council
5	<b>PK14/4540/R3F</b>	Deemed Consent	South Gloucestershire Council Broad Lane Depot And Offices Engine Common Yate South Gloucestershire BS37 7PN	Ladden Brook	Iron Acton Parish Council
6	<b>PT14/3455/F</b>	Approve with Conditions	Weekend Training Centre New Passage Road Pilning South Gloucestershire BS35 4LZ	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
7	<b>PT14/3827/F</b>	Approve with Conditions	Vermont House Down Road Alveston South Gloucestershire BS35 3JE	Thornbury South And	Alveston Parish Council
8	<b>PT14/4217/RVC</b>	Approve with Conditions	56 Wright Way Stoke Gifford South Gloucestershire	Frenchay And Stoke Park	Stoke Gifford Parish Council
9	<b>PT14/4218/F</b>	Approve with Conditions	5 Wren Close Stoke Park South Gloucestershire BS16 1WB	Frenchay And Stoke Park	Stoke Gifford Parish Council
10	<b>PT14/4336/F</b>	Approve with Conditions	176 Watleys End Road Winterbourne South Gloucestershire BS36 1QH	Winterbourne	Winterbourne Parish Council

## CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2015

<b>App No.:</b>	PK14/0340/O	<b>Applicant:</b>	Mr Rob Dicker
<b>Site:</b>	Land At Lower Chapel Road Hanham Bristol South Gloucestershire BS15 8SH	<b>Date Reg:</b>	21st February 2014
<b>Proposal:</b>	Erection of 6 no. dwellings (Outline) with access, layout and scale to be determined. All other matters reserved.	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	364160 172430	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th April 2014



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 100023410, 2014. N.T.S. PK14/0340/O

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule in order to secure an extension in time for the processing of the S106 Agreement.

### **1. THE PROPOSAL**

- 1.1 The application relates to a former builders yard and office buildings and associated outbuildings, located to the north of Lower Chapel Road, Hanham. The yard area has been used as a car sales lot. Vehicular access is currently from Chapel Road. The yard is generally enclosed by high boundary walls, which separate it from commercial buildings to the rear and residential properties to either side, a mix of residential and commercial properties, lie opposite the front of the site, on the southern side of Lower Chapel Road.
- 1.3 Outline planning permission PK14/0340/O was previously granted (subject to S106 Agreement) to demolish the existing buildings and erect 6no. dwellings, with access, layout and scale determined at this stage. All matters of external appearance and landscaping are to be the subject of a future reserved matters application. The proposed building would comprise three adjoining 2-storey blocks. The residential accommodation would comprise a mix of 4no. three-bedroom houses, 1no. two-bedroom flat and 1no. one-bedroom flat. The proposed parking court and garden areas would be to the rear of the buildings. Vehicular access would be from Lower Chapel Road, through an archway within the building. The existing access from Chapel Road would be closed off. It is also proposed to provide a new footway to the front of the site on Lower Chapel Road.
- 1.4 The application was supported by the following documents:
- Design and Access Statement
  - Coal Mining Risk Assessment
- 1.5 Outline planning consent PK03/1261/O for 13 flats on the same site, with siting and access determined, was previously granted and a subsequent application PK10/0156/EXT for the same scheme was also approved in principle (S106 not signed). The main differences between the previously approved scheme and the current proposal is as follows::
- The number of dwellings has been reduced from 13 (flats) to 6 (houses and flats).
  - The scale of the building has been reduced from 3-storeys to 2-storeys.
  - Scale is now to be approved as opposed to previously being a reserved matter.
- 1.6 A copy of the original Circulated Schedule Report is appended for information purposes. The resolution at para. 7.2 of the report states that:

“Should the agreement not be completed within 6 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.”

In this case it is merely proposed to extend the time limit for completing the S106 Agreement by 3 months. The applicant has indicated that he has a buyer for the site and intends to complete the sale in January 2015 when it is intended that the S106 would also be completed.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

The National Planning Policy Framework 27<sup>th</sup> March 2012.  
The Planning Practice Guidance 2014

### **2.2 Development Plans**

The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

CS1 - High Quality Design  
CS4A – Presumption in Favour of Sustainable Development  
CS5 - Location of Development  
CS6 - Infrastructure and Developer Contributions  
CS8 - Improving Accessibility  
CS9 - Managing the Environment and Heritage  
CS13 - Non-Safeguarded Economic Development Sites  
CS17 - Housing Diversity  
CS18 - Affordable Housing  
CS23 - Community Infrastructure and Cultural Activity  
CS24 - Green Infrastructure, Sport and Recreation Standards

South Gloucestershire Local Plan (Adopted) January 2006

L1 - Landscape Protection and Enhancement  
L5 - Open Areas within the Existing Urban Areas and Defined Settlements  
L9 - Species Protection  
L11 - Archaeology  
EP2 - Flood Risk and Development  
EP4 - Noise-sensitive development  
T7 - Cycle Parking  
T8 - Parking Standards  
T12 - Transportation Development Control Policy for New Development  
LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)  
LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)  
LC12 - Recreational Routes

South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002

Policy 37 – Waste Management

## 2.3 Emerging Plan

### Policies, Sites & Places Development Plan Document (Draft) June 2014

PSP1 - Local Distinctiveness

PSP2 - Landscape

PSP5 - Undesignated Open Spaces within Urban Areas and Settlements

PSP6 - Onsite Renewable & Low Carbon Energy

PSP8 - Settlement Boundaries and Residential Amenity

PSP10 - Development Related Transport Impact Management

PSP16 - Parking Standards

PSP20 - Flood Risk, Surface Water and Watercourses

PSP21 - Environmental Pollution and Impacts

PSP39 - Private Amenity Space Standards

## 2.4 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted)

The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.

Affordable Housing SPD Adopted Sept.2008.

South Gloucestershire Council Residential Parking Standards (SPD) Adopted.

## 3. **RELEVANT PLANNING HISTORY**

- 3.1 PK03/1261/O - Erection of 13no. one bed flats (outline) with means of access and siting to be determined. All other matters are reserved.  
Approved 15<sup>th</sup> April 2004 Subject to S106 Agreement and provision of 13 car parking spaces as opposed to 10.  
S106 Signed 22 Feb 2007
- 3.2 PK10/0156/EXT - Erection of 13no. one bed flats (outline) with means of access and siting to be determined. All other matters are reserved. (Consent to extend time limit implementation for PK03/1261/O).  
Refused 27<sup>th</sup> Feb. 2012 – S106 not signed.
- 3.3 PK14/0340/O - Erection of 6no. dwellings (Outline) with access, layout and scale to be determined. All other matters reserved.  
Pending - S106 not yet signed but approved in principle.

## 4. **CONSULTATION RESPONSES**

### Statutory Consultees

#### 4.1 Hanham Parish Council

Whilst it is appreciated that this is only outline permission this council has concerns over the eventual planned access in what is a narrow one way street.

### Other Consultees (including internal consultees of the Council)

#### 4.2 New Communities

The proposal for 6 dwellings is below the threshold (10) for contributions towards New Communities.

- 4.3 Education Service  
Based on current pupil projections an education contribution of £21,796 towards additional primary provision is now required in this case.
- 4.4 Affordable Housing  
The site area is below 0.33 hectares and the proposed number of dwellings (6) is below local and national policy guidance on the threshold for requiring affordable housing (10). There is therefore no requirement for the provision of affordable housing in this case.
- 4.5 Sustainable Transport  
No objection subject to a legal agreement to secure highway works, dedication of land and the costs of amending a Traffic Regulation Order (TRO).
- 4.6 Environmental Protection  
No objection subject to standard informatives relating to construction sites.
- 4.7 Landscape  
Landscape is a reserved matter. A detailed planting plan will be required at the reserved matters stage.
- 4.8 Historic Environment  
The site is within the boundaries of the medieval settlement of Hanham. A condition (HC13) for a programme of archaeological work (a watching brief) should be applied to any consent granted.
- 4.9 The Coal Authority  
No objection subject to a condition to secure site investigation works and mitigation measures if shallow mining is found.
- 4.10 Highway Drainage  
No objection subject to a condition to secure a SUDS scheme of drainage.

### **Other Representations**

- 4.11 Local Residents  
2no. responses were received from local residents. The occupier of 9 Chapel Road supports the application whilst the occupier of 9 Lower Chapel Road objects.

The comments in support of the application are summarised as follows:

- Flats were previously granted on the site.
- The site is a brownfield site that is unused and run down.
- Traffic has been taken into account.
- The design is in-keeping.
- The access is safe as it is not on the main road and cars can enter/exit in forward gear.
- Traffic flow on Lower Chapel Road is now low as a result of the new one way system.



- It is better to have the access off Lower Chapel Road as opposed to Chapel Road where the road is busy and there is a bus stop.
- Some concern about level of parking provision.

The comments against the application can be summarised as follows:

- Object to access from Lower Chapel Road which is narrow and used as a 'rat run'.
- Lorries often block Lower Chapel Road.
- Congestion caused by customers of Lloyds Bank.
- There is a blind corner a few metres from the entrance from High Street.
- Lower Chapel Road is only one-way 50 metres from the top of the Chapel Road end and not all the way up.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

This site lies within the Urban Area and the acceptance in principle of the development proposed was previously established with the grant of application PT13/4286/F subject to a S106 Agreement to secure the 'Heads of Terms' listed at para. 7.1 of the original Circulated Schedule Report. It is **not** proposed to change those 'Heads of Terms'.

5.2 The NPPF (para. 14) states that; at the heart of the Framework is the presumption in favour of sustainable development. Sustainable development is defined in the Framework as having three dimensions, which lead to three roles – an economic role, a social role and an environmental role. The proposal, which includes an element of social housing, would lie close to Winterbourne with its shops and services, and would create job opportunities for the building trade; as such it complies with the stated aims and objectives of the NPPF. Furthermore The South Gloucestershire Local Plan Core Strategy has now been adopted (Dec 2013) so the policies therein are now part of the Development Plan. Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.

5.3 The drafting of the S106 Agreement has involved protracted negotiations, which has taken the application past the 6 month deadline for completing the S106 Agreement. Officers are however satisfied that there is every expectation that the S106 will now be signed shortly and the Council's Solicitor has advised that a further 3 months should be adequate time to complete the agreement.

## 6. **CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 It is recommended that para. 7.2 be amended to provide an additional 3 months for the completion of the S106 Agreement.
- 6.3 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## 7. **RECOMMENDATION**

- 7.1 (1) That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:
- (i) To provide, prior to the first occupation of any of the dwellings hereby approved, a 1.5m wide footway to the site frontage on Lower Chapel Road. The works shall be carried out to adoptable standards and in accordance with the principles shown on the approved 'Proposed Site Plan' Drawing No. 1864/003A.
  - (ii) A financial contribution of £21,796.00p towards the provision of 2 additional Primary School places.
  - (iii) To pay the Council its reasonable costs in connection with any Traffic Regulation Orders or consultation procedures required for any phase of the development or the highway works and carry out forthwith any consequent physical works including associated works.
  - (iv) A S106 monitoring fee to the value of 4% of the total contributions i.e. £871.84p.

The reasons for this Agreement are:

- (i) In the interests of highway safety on Lower Chapel Road in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006.
- (ii) To meet the needs of the increased population to result from the development and to accord with Policy LC2 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006.
- (iii) To meet the costs associated with any new or variation in the Traffic Regulation Order relating to Lower Chapel Road In the interests of highway safety on Lower Chapel Road in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006.

(iv) To cover the Council's costs of monitoring the S106.

(2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

7.2 Should the agreement not be completed within 3 months of the date of the Committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

**Contact Officer: Roger Hemming**  
**Tel. No. 01454 863537**

### **CONDITIONS**

1. Approval of the details of the external appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the external appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

5. Prior to the commencement of the development hereby approved, site investigation works shall be carried out to identify if any shallow mining works are present beneath the site. In the event that the site investigations confirm the need for remedial works to

treat any mine entries and/or areas of shallow mine workings these works shall be carried out prior to the commencement of the development.

Reason

To ensure the safety and stability of the proposed development having regard to past Coal Mining within the area and to accord with Policy EP7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. Details of all boundary treatments (walls, railings or fences) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the development shall only be carried out in accordance with the details so approved.

Reason

To protect the character and appearance of the area to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec 2013.

7. No windows other than permanently fixed and obscurely glazed windows to a level 3 standard or above, shall be inserted at any time in the north-west or south-east end elevations of the property.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the requirements of the NPPF.

8. The hours of working on site during the periods of demolition and construction shall be restricted to 8.00am to 6.00pm Mondays to Fridays inclusive, 8.00am to 1.00pm Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: deliveries of construction materials, the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the requirements of the NPPF.

9. The existing walls enclosing the boundary of the site shall be retained and shall not be altered without the prior written consent of the Local Planning Authority.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the requirements of the NPPF and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013.

10. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be

submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

11. The approved car parking, cycle parking and turning arrangements (shown on the Proposed Site Plan no. 1864/003 A) shall be provided prior to the dwellings being first occupied and shall be permanently retained as such thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and The South Gloucestershire Council Parking Standards SPD.

12. Prior to the first occupation of the dwellings hereby approved, the car parking and turning areas within the site shall be surfaced with bound surfaced material and maintained as such thereafter.

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

13. The development hereby permitted shall not be occupied nor the use commenced until the means of vehicular, pedestrian, and cyclist access (shown on Proposed Site Plan Drawing No. 1864/003 A) has been constructed and is available for use in accordance with the approved plans. There shall be no obstructions to visibility exceeding 0.9 metres in height within the splayed areas.

Reason

In the interests of highway safety, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

14. Before the vehicular access hereby permitted is first used, the existing vehicular access onto Chapel Road shall be permanently stopped up in accordance with the approved plans.

Reason

In the interests of highway safety, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

15. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

16. Prior to the commencement of the development a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
- (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
  - (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
  - (c) Proposals for re-cycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
  - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
  - (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The approved works shall subsequently be carried out in accordance with the agreed details.

Reason

To accord with the Council's adopted Waste Management Strategy, and to accord with Policy 37 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002.

# ITEM 3

## CIRCULATED SCHEDULE NO. 24/14 – 13 JUNE 2014

<b>App No.:</b>	PK14/0340/O	<b>Applicant:</b>	Mr Rob Dicker
<b>Site:</b>	Land At Lower Chapel Road Hanham Bristol South Gloucestershire BS15 8SH	<b>Date Reg:</b>	21st February 2014
<b>Proposal:</b>	Erection of 6 no. dwellings (Outline) with access, layout and scale to be determined. All other matters reserved.	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	364160 172430	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th April 2014



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100023410, 2008. **N.T.S.** **PK14/0340/O**

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule following the receipt of objections from a local resident and concerns raised by Hanham Parish Council, furthermore the proposal involves a new S106 Agreement.

### **1. THE PROPOSAL**

- 1.1 The application relates to a former builders yard and office buildings and associated outbuildings, located to the north of Lower Chapel Road, Hanham. The yard area has been used as a car sales lot. Vehicular access is currently from Chapel Road. The yard is generally enclosed by high boundary walls, which separate it from commercial buildings to the rear and residential properties to either side, a mix of residential and commercial properties, lie opposite the front of the site, on the southern side of Lower Chapel Road.
- 1.3 The application seeks outline planning permission to demolish the existing buildings and erect 6no. dwellings, with access, layout and scale to be determined at this stage. All matters of external appearance and landscaping would be the subject of a subsequent reserved matters application. The proposed building would comprise three adjoining 2-storey blocks. The residential accommodation would comprise a mix of 4no. three-bedroom houses, 1no. two-bedroom flat and 1no. one-bedroom flat. The proposed parking court and garden areas would be to the rear of the buildings. Vehicular access would be from Lower Chapel Road, through an archway within the building. The existing access from Chapel Road would be closed off. It is also proposed to provide a new footway to the front of the site on Lower Chapel Road.
- 1.4 The application is supported by the following documents:
- Design and Access Statement
  - Coal Mining Risk Assessment
- 1.5 Outline planning consent PK03/1261/O for 13 flats on the same site, with siting and access determined, was previously granted and a subsequent application PK10/0156/EXT for the same scheme was also approved in principle (S106 not signed). The main differences between the previously approved scheme and that now proposed are as follows:
- The number of dwellings has been reduced from 13 (flats) to 6 (houses and flats).
  - The scale of the building has been reduced from 3-storeys to 2-storeys.
  - Scale is now to be approved as opposed to previously being a reserved matter.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

The National Planning Policy Framework 27<sup>th</sup> March 2012.



## The Planning Practice Guidance 2014

### 2.2 Development Plans

#### The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

- CS1 - High Quality Design
- CS4A – Presumption in Favour of Sustainable Development
- CS5 - Location of Development
- CS6 - Infrastructure and Developer Contributions
- CS9 - Managing the Environment and Heritage
- CS13 - Non-Safeguarded Economic Development Sites
- CS17 - Housing Diversity
- CS18 - Affordable Housing
- CS23 - Community Infrastructure and Cultural Activity
- CS24 - Green Infrastructure, Sport and Recreation Standards

#### South Gloucestershire Local Plan (Adopted) January 2006

- L1 - Landscape Protection and Enhancement
- L5 - Open Areas within the Existing Urban Areas and Defined Settlements
- L9 - Species Protection
- L11 - Archaeology
- EP2 - Flood Risk and Development
- EP4 - Noise-sensitive development
- T7 - Cycle Parking
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)
- LC12 - Recreational Routes

#### South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002 Policy 37 – Waste Management

### 2.3 Supplementary Planning Guidance

- Trees on Development Sites SPG (Adopted)
- The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
- Affordable Housing SPD Adopted Sept.2008.
- South Gloucestershire Council Residential Parking Standards (SPD) Adopted.

## 3. RELEVANT PLANNING HISTORY

- 3.1 PK03/1261/O - Erection of 13no. one bed flats (outline) with means of access and siting to be determined. All other matters are reserved.  
Approved 15<sup>th</sup> April 2004 Subject to S106 Agreement and provision of 13 car parking spaces as opposed to 10.  
S106 Signed 22 Feb 2007

- 3.2 PK10/0156/EXT - Erection of 13no. one bed flats (outline) with means of access and siting to be determined. All other matters are reserved. (Consent to extend time limit implementation for PK03/1261/O).  
Refused 27<sup>th</sup> Feb. 2012 – S106 not signed.

#### **4. CONSULTATION RESPONSES**

##### Statutory Consultees

- 4.1 Hanham Parish Council  
Whilst it is appreciated that this is only outline permission this council has concerns over the eventual planned access in what is a narrow one way street.
- 4.2 Other Consultees (including internal consultees of the Council)
- 4.3 New Communities  
The proposal for 6 dwellings is below the threshold (10) for contributions towards New Communities.
- 4.4 Education Service  
Based on current pupil projections an education contribution of £21,796 towards additional primary provision is now required in this case.
- 4.5 Affordable Housing  
The site area is below 0.33 hectares and the proposed number of dwellings (6) is below local and national policy guidance on the threshold for requiring affordable housing (10). There is therefore no requirement for the provision of affordable housing in this case.
- 4.6 Sustainable Transport  
No objection subject to a legal agreement to secure highway works, dedication of land and the costs of amending a Traffic Regulation Order (TRO).
- 4.7 Environmental Protection  
No objection subject to standard informatives relating to construction sites.
- 4.8 Landscape  
Landscape is a reserved matter. A detailed planting plan will be required at the reserved matters stage.
- 4.9 Historic Environment  
The site is within the boundaries of the medieval settlement of Hanham. A condition (HC13) for a programme of archaeological work (a watching brief) should be applied to any consent granted.
- 4.10 The Coal Authority  
No objection subject to a condition to secure site investigation works and mitigation measures if shallow mining is found.
- 4.11 Highway Drainage

No objection subject to a condition to secure a SUDS scheme of drainage.

## **Other Representations**

### 4.10 Local Residents

2no. responses were received from local residents. The occupier of 9 Chapel Road supports the application whilst the occupier of 9 Lower Chapel Road objects.

The comments in support of the application are summarised as follows:

- Flats were previously granted on the site.
- The site is a brownfield site that is unused and run down.
- Traffic has been taken into account.
- The design is in-keeping.
- The access is safe as it is not on the main road and cars can enter/exit in forward gear.
- Traffic flow on Lower Chapel Road is now low as a result of the new one way system.
- It is better to have the access off Lower Chapel Road as opposed to Chapel Road where the road is busy and there is a bus stop.
- Some concern about level of parking provision.

The comments against the application can be summarised as follows:

- Object to access from Lower Chapel Road which is narrow and used as a 'rat run'.
- Lorries often block Lower Chapel Road.
- Congestion caused by customers of Lloyds Bank.
- There is a blind corner a few metres from the entrance from High Street.
- Lower Chapel Road is only one-way 50 metres from the top of the Chapel Road end and not all the way up.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The NPPF (para 14) states that; at the heart of the Framework is the presumption in favour of sustainable development. Sustainable development is defined in the Framework as having three dimensions, which lead to three roles – an economic role, a social role and an environmental role. The proposal would lie close to Hanham Town Centre and would create job opportunities for the building trade; as such it complies with the stated aims and objectives of the NPPF. Furthermore The South Gloucestershire Local Plan Core Strategy has now been adopted (Dec 2013) so the policies therein now form part of the Development Plan. Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that

sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible. Council Officers have worked closely with the applicants to amend the scheme from its original proposal to its current design.

- 5.2 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe. Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities and this policy stance is replicated in Policy CS17 of the Core Strategy.
- 5.3 The site is located within the established urban area and comprises existing office buildings and associated yard. The site is therefore classed as a previously developed, or brownfield site. The site is not safeguarded (under Core Strategy Policy CS12) as economic development land, however Core Strategy Policy CS13 only permits the development of non-safeguarded sites within the urban area where it can be clearly demonstrated that all reasonable attempts have failed to secure a suitable economic development re-use. Where these circumstances occur, then priority will be given to alternative uses in the following sequence:
1. A mixed use scheme.
  2. A residential only scheme.
- 5.4 The acceptance in principle however of the residential development of this site with access off Lower Chapel Road was previously established at the 15<sup>th</sup> Feb. 2007 DC (East) Committee. This decision was subsequently endorsed with the approval in principle of PK10/0156/EXT. The office building is redundant and has been for some time and as such is now in a poor state of repair.
- 5.5 The NPPF para.22 states that:  
*'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'*
- 5.6 The NPPF para. 49 states that: *'Housing applications should be considered in the context of the presumption in favour of sustainable development.'* and at para.51: *'Local Planning Authorities ...should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.'*

- 5.7 The site is not protected economic development land; land is however allocated as a safeguarded area for economic development at nearby Hanham Business Park. The site is surrounded by residential development which is in close proximity and the access arrangements are not ideal for commercial development, being either from Chapel Road, which is busy and adjacent to a bus stop or alternatively off a narrow one-way street i.e. Lower Chapel Road; officers therefore consider that the site is severely constrained for commercial uses given the likely associated noise and size of vehicles that would use the site. Officers consider that, the fact that planning permission for the residential development of the site was previously granted, is a material consideration of significant weight in the determination of this current application. Furthermore there is an acknowledged need for residential dwellings in South Gloucestershire and the site lies within a highly sustainable location, both supported by the NPPF.
- 5.8 A further consideration of considerable weight is the fall back situation, should this outline consent not be granted. Recent changes to the permitted development rights (see Statutory Instrument 2013 No.1101 relating to The Town and Country (General Permitted Development) (Amendment) (England) Order 2013) mean that under Class J buildings and their curtilage falling under Class B1a (Offices) can be changed to Class C3 (dwellinghouses) without the need for planning permission.
- 5.9 Having regard to **all** of the above factors, officers consider that the proposed residential development of the site could not now be reasonably resisted. In accordance with the NPPF the proposal is acceptable in principle, subject to a number of criteria, which are discussed under the following headings.
- 5.10 Density  
The scheme would provide 6 units of accommodation on the 0.14ha site, which equates to 42.8 dph. It is considered that in this instance, given the site's location in the heart of the urban area, where higher density development is to be expected, its position at the junction between the commercial core of Hanham and the surrounding residential area, and the fact that the site is in very easy walking distance of Hanham High Street with its associated shopping area and regular bus routes, the location is highly sustainable and well capable of accommodating a development of the density proposed. In principle it is considered that the proposal would integrate very well within the locality. Having considered the constraints to developing the site, officers are satisfied that efficient use of the site in terms of density will be achieved by the proposal without the proposal being out of character with its immediate surroundings.
- 5.11 Visual Amenity  
Issues of external appearance of the buildings remain to be determined under reserved matters, nevertheless siting is to be determined under the current application. The proposed footprint of the building is similar to that previously approved and is considered to integrate adequately within the existing pattern of development along Lower Chapel Road and Chapel Road. In the current scheme the scale of the proposed building has been reduced from 3-storey to 2-storey and as such is considered to better integrate with the surrounding development. Guidance contained in the NPPF and South Gloucestershire

Local Plan Core Strategy supports a mix of house types and this is better reflected in the mix now proposed. The architectural vernacular of the location is mixed and officers are satisfied that an appropriately designed building would not adversely affect the visual amenity of the area as demonstrated in the submitted indicative plans. Furthermore the existing buildings on the site are quite unsightly and their loss would not detract from the visual quality of the area.

5.12 Landscaping

Landscaping remains to be determined as a reserved matter. There is no vegetation growing on the site that needs to be retained or protected. The proposed layout is considered to be acceptable, with gardens to the rear and to the side. It is intended to retain the existing boundary walls. The applicant will still need to submit a full landscape proposal for approval at the reserved matters stage.

5.13 Impact Upon Residential Amenity

Officers consider that whilst it is perfectly normal for buildings to be in close proximity to each other in densely populated urban locations, careful consideration still needs to be given to the impact of the development on the residential amenities of neighbours and future occupiers alike.

5.14 For prospective occupiers amenity areas are to be provided, which would provide ample opportunity for sitting out in a relatively private area. Bin storage would be provided within the buildings to the front and a secure cycle store to the rear of the site. The boundary walls, which are to be retained, are high enough to provide adequate screening and privacy for both future and neighbouring occupiers.

5.15 The proposed building would be located in a similar position to the existing office and to that previously approved, with a linear form facing onto Lower Chapel Road. Officers are satisfied that in this case there would be sufficient distance between the majority of facing habitable room windows to the front and rear. There is an existing issue of inter-visibility between the existing office windows and the front windows of the residential flats opposite at 2 Lower Chapel Road. There is potential for this issue to be replicated by the proposed development, however this matter has been addressed by locating the proposed underpass opposite this dwelling.

5.16 Officers consider that some overlooking of neighbouring property is inevitable in this densely populated urban area, where properties are in close proximity to each other. Having regard to the proposed building's siting, any overlooking would be from an acceptable distance to front and rear. There is however the potential for significant loss of privacy for the occupiers of the dwellings to either side; in this respect officers consider it justified to impose a condition to restrict fenestration in the end elevations of the proposed building, to be fixed and obscurely glazed only.

5.17 Having had regard to the current impact of the existing buildings and high boundary walls, officers do not consider that the siting of the proposed building would be so overbearing on the neighbouring properties as to justify refusal of

planning permission. The current proposal is for 2-storey buildings only as opposed to the previously approved 3-storey buildings.

- 5.18 As regards noise, officers consider that the potential continued use of the site as an office and builders' yard would be likely to create more noise than the proposed residential use. Any excessive noise issues emanating from future occupants would be subject to the usual controls under Environmental Health Legislation.
- 5.19 On balance therefore, officers are satisfied that, subject to conditions to control the fenestration and retain boundary walls, that the impact of the proposed development upon neighbouring residential amenity, would be acceptable, especially given that the scale and density of the scheme is significantly less than that which was previously approved.
- 5.20 Transportation  
Lower Chapel Road is very narrow and there is currently no footway along it. Prior to the submission of the original application PK03/1261/O, the Council was made aware that Lower Chapel Road had become a very popular 'short-cut' between Chapel Road and High Street, Hanham. In response to the concerns raised, the Council secured a Traffic Regulation Order (TRO) to make Lower Chapel Road a one-way street and this has now been implemented. Furthermore, following consultation with the Council's Highway Development Control section, officers consider that the scheme is acceptable. There is however still a requirement for a new 1.5m wide footway along the site frontage on Lower Chapel Road, this can be secured by a S106 Agreement.
- 5.21 The Council's current minimum parking requirements are to be found at Appendix A of The South Gloucestershire Council Residential Parking Standards SPD. The requirements are; for 1-bedroom flats one space per flat, for 2-bedroom flats 1.5 spaces each and for 3-bedroom houses 2 spaces each. As 12no. off-street car parking spaces are to be provided within the parking court, this level of parking provision will satisfy the minimum adopted standards. The development site is well located in respect of it being close to bus routes on High Street and Lower Hanham Road, as well as the shopping area along Hanham High Street. The proposed parking provision is considered to be acceptable in this sustainable location.
- 5.22 Furthermore the scheme will include an adequate turning area to allow vehicles to exit the site in forward gear. Access to the site would be via a one-way road through an underpass, the latter having been widened to 3.75m to create a safer route for pedestrians/cyclists to pass a vehicle. Officers are also satisfied that due to the proximity of the building to Lower Chapel Road, there would be no requirement for emergency vehicles to enter the site.
- 5.23 As part of the scheme, the applicant is proposing a highway improvement along the site frontage. The existing road width on Lower Chapel Road varies between 3 to 3.8m wide and there is currently no footway outside the site frontage. The applicant's scheme includes highway widening outside the development to facilitate the construction of a new 1.5m wide footway along the site frontage. Officers consider the proposed changes to be appropriate in this

case. There is an existing parking restriction (i.e. single yellow line) outside the application site. An amendment to the existing TRO may be necessary and hence, the applicant is expected to meet the cost for this via a S106 Agreement.

5.24 Subject to the above S106 and conditions relating to the provision and maintenance of the parking and turning facilities and the provision of the cycle store, all prior to the first occupation of the building, there are no highway objections.

5.25 Drainage Issues

The Council's Drainage Engineer has raised no objections to the principle of the development, which would also be the subject of Building Control. A SUDS scheme of drainage would be secured by condition.

5.26 Archaeology

In view of the sites location within the likely area of medieval settlement, a condition should be imposed to secure a programme of archaeological work in accordance with a brief provided by the Local Planning Authority.

5.27 Public Open Space

The scheme size falls below the threshold for contributions to open space. It was previously accepted by members that a contribution towards Library facilities could not be reasonably supported by a development of this scale.

5.28 Education

There is a projected deficit of Primary School places in the area. The proposed development of 6no. dwellings, as proposed, would generate the need for 2 additional primary school pupil places for which a contribution of £21,796.00p is required. There is currently a projected surplus of Secondary School places in the area.

5.29 Environmental Issues

The site does not lie within a zone of risk from flooding. Given that the existing buildings would be demolished, officers consider it appropriate to impose a condition to secure the prior submission and approval of a Waste Management Audit.

5.30 Furthermore the developer would be recommended to register the site under the 'Considerate Contractors scheme'. The scheme would also be the subject of Building Regulation Control and controls embodied within The Environmental Health Act. The Council's Environmental Health Officer has raised no objections on Environmental Protection grounds.

5.31 CIL Regulations

Officers consider that the S106 requests meet all of the tests listed under Para. 20 of the NPPF and Reg 122 of the CIL Regs 2010 in being:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.



## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan Core Strategy (Adopted) 11<sup>th</sup> Dec. 2013 and the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 (1) That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:
- (i) To provide, prior to the first occupation of any of the dwellings hereby approved, a 1.5m wide footway to the site frontage on Lower Chapel Road. The works shall be carried out to adoptable standards and in accordance with the principles shown on the approved 'Proposed Site Plan' Drawing No. 1864/003A.
  - (ii) A financial contribution of £21,796.00p towards the provision of 2 additional Primary School places.
  - (iii) To pay the Council its reasonable costs in connection with any Traffic Regulation Orders or consultation procedures required for any phase of the development or the highway works and carry out forthwith any consequent physical works including associated works.
  - (iv) A S106 monitoring fee to the value of 4% of the total contributions i.e. £871.84p.

The reasons for this Agreement are:

- (i) In the interests of highway safety on Lower Chapel Road in accordance with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006.
- (ii) To meet the needs of the increased population to result from the development and to accord with Policy LC2 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006.
- (iii) To meet the costs associated with any new or variation in the Traffic Regulation Order relating to Lower Chapel Road In the interests of highway safety on Lower Chapel Road in accordance

with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6<sup>th</sup> Jan 2006.

(iv) To cover the Council's costs of monitoring the S106.

(2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

7.2 Should the agreement not be completed within 6 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

**Contact Officer: Roger Hemming**  
**Tel. No. 01454 863537**

### **CONDITIONS**

1. Approval of the details of the external appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the external appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

5. Prior to the commencement of the development hereby approved, site investigation works shall be carried out to identify if any shallow mining works are present beneath the site. In the event that the site investigations confirm the need for remedial works to treat any mine entries and/or areas of shallow mine workings these works shall be carried out prior to the commencement of the development.

Reason

To ensure the safety and stability of the proposed development having regard to past Coal Mining within the area and to accord with Policy EP7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. Details of all boundary treatments (walls, railings or fences) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the development shall only be carried out in accordance with the details so approved.

Reason

To protect the character and appearance of the area to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec 2013.

7. No windows other than permanently fixed and obscurely glazed windows to a level 3 standard or above, shall be inserted at any time in the north-west or south-east end elevations of the property.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the requirements of the NPPF.

8. The hours of working on site during the periods of demolition and construction shall be restricted to 8.00am to 6.00pm Mondays to Fridays inclusive, 8.00am to 1.00pm Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: deliveries of construction materials, the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the requirements of the NPPF.

9. The existing walls enclosing the boundary of the site shall be retained and shall not be altered without the prior written consent of the Local Planning Authority.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the requirements of the NPPF and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013.

10. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

11. The approved car parking, cycle parking and turning arrangements (shown on the Proposed Site Plan no. 1864/003 A) shall be provided prior to the dwellings being first occupied and shall be permanently retained as such thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and The South Gloucestershire Council Parking Standards SPD.

12. Prior to the first occupation of the dwellings hereby approved, the car parking and turning areas within the site shall be surfaced with bound surfaced material and maintained as such thereafter.

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

13. The development hereby permitted shall not be occupied nor the use commenced until the means of vehicular, pedestrian, and cyclist access (shown on Proposed Site Plan Drawing No. 1864/003 A) has been constructed and is available for use in accordance with the approved plans. There shall be no obstructions to visibility exceeding 0.9 metres in height within the splayed areas.

Reason

In the interests of highway safety, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

14. Before the vehicular access hereby permitted is first used, the existing vehicular access onto Chapel Road shall be permanently stopped up in accordance with the approved plans.

Reason

In the interests of highway safety, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

15. The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological

remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

16. Prior to the commencement of the development a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:
- (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
  - (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
  - (c) Proposals for re-cycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
  - (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
  - (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.
- The approved works shall subsequently be carried out in accordance with the agreed details.

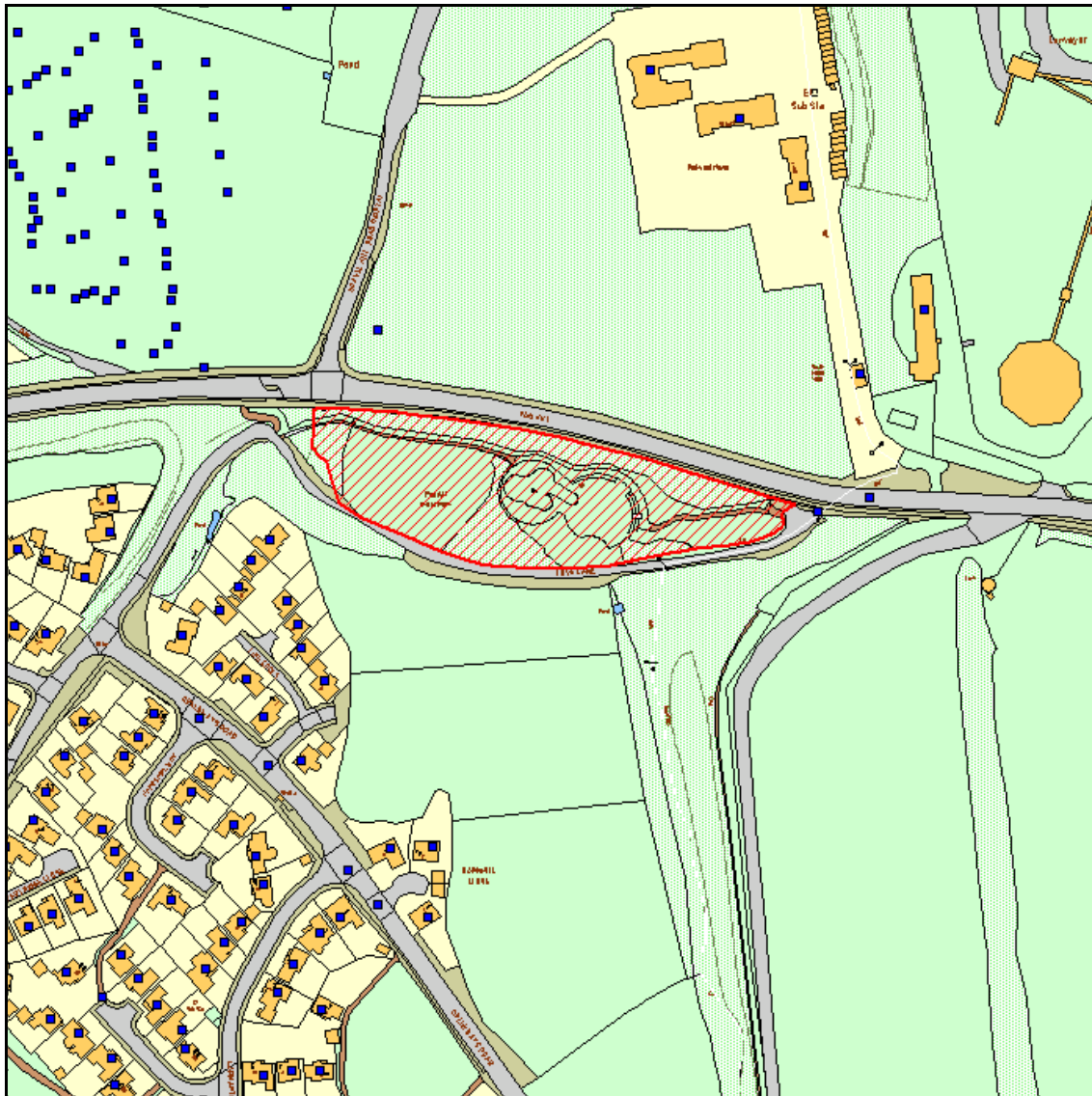
Reason

To accord with the Council's adopted Waste Management Strategy, and to accord with Policy 37 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002.



**CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014**

<b>App No.:</b>	PK14/3511/F	<b>Applicant:</b>	Mrs Steph Davies
<b>Site:</b>	Peg Hill Skate Park Peg Hill Yate Bristol South Gloucestershire BS37 7BW	<b>Date Reg:</b>	18th November 2014
<b>Proposal:</b>	Installation of 9 no. eight metre high lights and lighting columns.(Amendment to previously approved scheme PK13/4549/F)	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	372210 183971	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th January 2015



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 100023410, 2014. **N.T.S.** **PK14/3511/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

The application is referred to the Circulated Schedule as a representation has been received which are contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks permission for the installation of 9no. eight metre high flood lights and lighting columns at Peg Hill Skate Park, Yate.
- 1.2 The application is a re-submission of previously approved application ref. PK13/4549/F in order to increase the height and number of lights.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework March 2012  
National Planning Practice Guidance 2014

#### 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

L5 Open Areas within the Existing Urban Areas and Defined Settlement Boundaries

LC3 Proposals for Sports and Leisure Facilities within the Existing Urban Area and Defined Settlement Boundaries

#### 2.3 Supplementary Planning Guidance

None relevant

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK13/4549/F - Installation of 8 no. 6m high floodlights. Approved 30<sup>th</sup> January 2014
- 3.2 PK00/1400/F - Change of use from vacant land to use as a skate park (D2). Erection of 1.2 metre high post and rail fence. Approved 13<sup>th</sup> July 2000

### **4. CONSULTATION RESPONSES**

#### 4.1 Yate Town Council (Applicants)

- Yate Town Council has been working with young people who use Peg Hill Skateboard and BMX Park and they have indicated they would like lighting at the site to allow use during the autumn/winter months.
- Yate Town Council have conducted a consultation with local residents and no objections have been received.
- Yate Town Council supports the request for lighting by the skate park users and has obtained grant funding to enable this project to go ahead at this much used provision.



- Yate Town Council hope that South Gloucestershire Council will be able to support this change to enable young people to use this facility after school during the autumn/winter.

#### 4.2 Transportation DC

We have now reviewed this planning application and note that it seeks to installation of nine lighting columns at Peg Hill Skate Park, Peg Hill, Yate and is an amendment to a previous scheme permitted by 2013 planning application (ref PK13/4549/F). We made no transportation comments to the original planning application and as we consider that this change is unlikely to materially alter the traffic generation patterns of this site, we have no transportation comments about this application either.

#### 4.3 Senior Lighting Engineer

I have had a look at the mentioned Planning Application and have found it satisfactory.

### **Other Representations**

#### 4.4 Local Residents

One letter of support and one letter of objection have been received from local residents. The comments are summarised as follows:

Support:

- Well used by cyclists and skateboarders.
- Anything to enhance provision of outdoor activities for young people should be supported.
- Endorse Yate Council's application.

Objection:

- Lighting will only encourage gangs of youths to gather together after dark.
- Disturbance and damage to local residential areas.
- Skate park needs to be relocated to a more suitable site away from tranquil residential properties. T
- No parking facilities nearby. Parked cars along the side of this busy road create an unacceptable safety hazard both for users of the skate park and for other road users.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The proposal to erect the floodlights stands to be assessed against Policy LC3 of the South Gloucestershire Local Plan (Adopted) 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013. The pertinent issues to consider are the impact of the proposed lighting on residential amenity, visual amenity, highway safety and environmental effects.

### 5.2 Residential Amenity/ Visual Amenity

The application relates to Peg Hill Skate Park, which is situated on the southern side of Peg Hill to the west of Barnhill Quarry. The area to the southwest of the application site is predominantly residential in nature with construction on

additional residential dwellings on the north of Peg Hill. The skate park is well landscaped and screened with variation in land levels.

- 5.3 The previously approved application sought permission for the erection of 8no. 6 metres high flood lights and was approved in January of this year subject to the condition that the lighting would be switched off after 8.30pm every evening.
- 5.4 It is considered that although the revised proposal increases the height and number of the floodlights with additional lighting columns this would not have a significant impact on the amenity of the neighbouring occupiers due to the separation afforded between them and due to the existing landscaping. Within the previous application it was considered that the flood lights, when viewed against the back drop of the street lights, would not have a detrimental impact on existing levels of residential or visual amenity and this assessment remains valid within the current application. This is with the provision that the same time restriction applies such that lighting should be switched off after 8.30pm every evening. The proposed luminance levels and lighting has been assessed by the Council's lighting engineer who raises no objection to the proposal in terms of light pollution or visual amenity.
- 5.5 It is noted that concern has been raised in relation to increased disturbance and activity on the site after dark however it is considered that provided lighting is switched off by 8.30pm the proposal would not result in an increase in disturbance during the night time. It is further noted that the proposal is for the lighting only. The use of the site as a skate park has already been approved and as such cannot be moved as requested by a local resident.
- 5.6 Highway safety  
Concern has been raised that the skate park does not have any parking facilities nearby and that on street parking causes a hazard for road users. These comments are noted however it is not considered that the proposed lighting would materially alter the traffic generated by the permitted use of the site as a skate park. No objection was raised to the previous application on highway safety grounds and this remains the same for the current application. It is not considered that the lighting would prejudice highway or public safety and as such the Council raises no objections on these grounds.
- 5.7 Environment  
As with the previous application it is not considered that the proposed lighting would have any significant environmental effects.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

7.1 That the application is APPROVED subject to the following conditions:

**Contact Officer: Sarah Fordham**  
**Tel. No. 01454 865207**

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

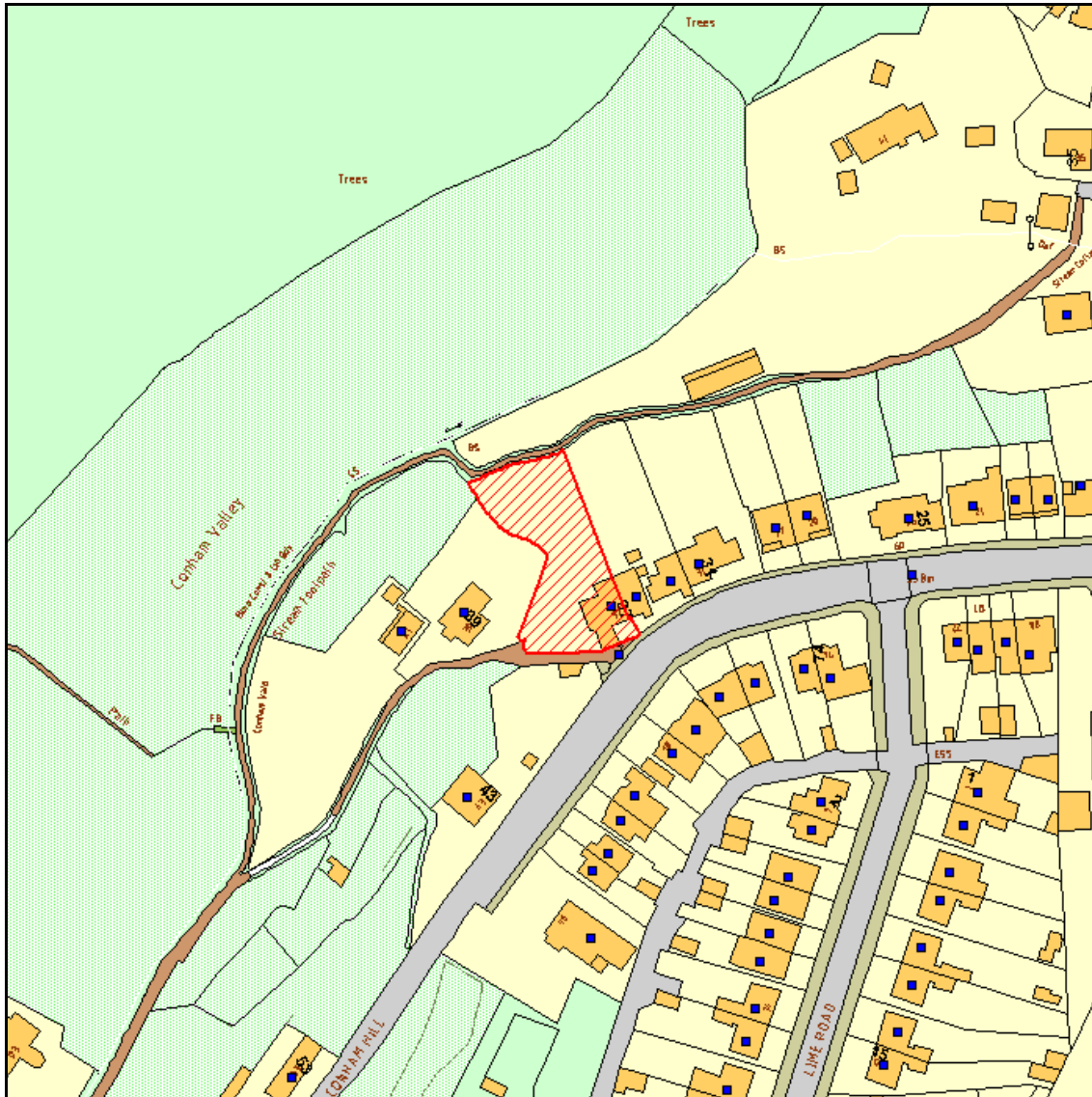
2. The floodlights hereby permitted must be switched off no later than 8.30pm every evening.

Reason

To allow the Council to consider the impact on any extension to the hours on residential amenity, highway safety and the landscape in accordance with the requirements of Policy LC3 of the South Gloucestershire Local Plan (Adopted) 2006

**CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014**

<b>App No.:</b>	PK14/3997/F	<b>Applicant:</b>	Mrs Louise Wherlock
<b>Site:</b>	37 Conham Hill Hanham Bristol South Gloucestershire BS15 3AW	<b>Date Reg:</b>	27th October 2014
<b>Proposal:</b>	Erection of detached garage (Resubmission of PK14/0233/F).	<b>Parish:</b>	Hanham Parish Council
<b>Map Ref:</b>	363310 172236	<b>Ward:</b>	Hanham
<b>Application Category:</b>	Householder	<b>Target Date:</b>	11th December 2014



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule following objections from local residents.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a detached garage. The application site relates to a two-storey semi-detached cottage situated within the established settlement of Hanham. The application site is located at the top of Conham Hill on the outside of the bend. Its access gates are set back from the highway and separated from it by an area of public footpath which is adopted highway land. The footpath continues steeply down to the southwest along a series of steps down into Conham Vale. During the course of the application the description of the development was changed to omit engineering works to alter the existing access for vehicular vehicles.
- 1.2 This is a resubmission of a very similar application PK14/0233/F which was withdrawn after it was indicated that the proposal would not receive Highway Officer support and attracted concern from the Public Rights of Way Officer. This application differs from the previous one in that there are no alterations to the existing steps on the public footpath leading from Conham Hill to Conham Vale, the proposed gates would be electric, and CCTV cameras are being installed to ensure the safety of pedestrians along the footpath.
- 1.3 As mentioned above, during the course of the application the description of the development was revised to exclude engineering works to alter the level of the access into the property. This is because the area is outside the red edge of No. 37 Conham Hill and is regarded as being part of the public highway, owned by the Highways Authority and furthermore is adjacent to an unclassified highway. As such Part 2 Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) allows:

*The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).*

Given the above, the alterations to the level of the pavement/land/access would not require planning permission. However, under the Highways Act 1980, the applicant would be required to apply to the Council's Streetworks Team for permission to carry out this work. It is noted that the plans indicate that a small area of land outside the application site, currently adopted footpath, would need to be raised by 7° to create a level access so that vehicles could more easily cross from the highway into the property. As these works are not to be assessed under this planning application, the issues would need to be discussed separately with the Council's Streetwork Team and if approved a licence would be issued.

- 1.4 Highway Engineers gave their professional opinion on the alterations to the access prior to this part of the proposed works being removed from the description of development. Highway Engineers expressed their concerns and in 1988 a very similar application was refused due to adverse highway safety issues and subsequently dismissed at appeal. As the description of development now only relates to the garage the comments regarding the access are not used in the overall assessment of the report.

Likewise, as the works could entail the closing of a public footpath for a limited period, advice should be sought from the Public Rights of Way Department.

- 1.5 Two letters of objection has been received from local residents. The letters in the main, relate to the engineering works to alter the level of the driveway and its consequences to highway safety. Although the description of the proposal has changed to omit this aspect of the proposal for the for the sake of completeness this report and its recommendation is being referred to the Circulated Schedule.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

### South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Environmental Resources and Built Heritage  
CS23 Community Infrastructure and Cultural Activity  
CS24 Open Space Standards

### South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
T12 Transportation Development Control  
LC12 Recreational Routes

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted 2007)  
South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PK14/0233/F Erection of detached garage and engineering works to alter level of driveway.

- |     |           |  |
|-----|-----------|--|
|     | Withdrawn | 1.4.14   |
| 3.2 | K1935/4   | Construction of driveway with new vehicular access onto the highway  |
|     | Refused   | 13.1.89  |
|     |           | 1. The means of access is unsatisfactory by reason of the steep gradient, lack of sight lines and potential vehicular/pedestrian conflict  |
|     |           | 2. The proposed turning space would significantly reduce the area of level garden space presently enjoyed by the dwelling to the detriment of residential amenity  |
|     |           | Appeal dismissed:<br>Restricted visibility and increased danger. The proposal <i>would make Conham Hill significantly more hazardous for drivers than it is now. Conham Vale footpath would also be more hazardous for walkers</i> |
| 3.3 | K1935/3   | First floor side extension   |
|     | Approved  | 7.12.87  |
| 3.4 | K1935/2   | Two storey front and second storey side extension  |
|     | Refused   | 9.9.85   |
| 3.5 | K1935/1   | Two storey extension   |
|     | Withdrawn | 2.8.85   |
| 3.6 | K1935     | Erection of extension to existing dwellinghouse to provide lounge, bathroom toilet and lobby. Construct new vehicular and pedestrian access  |
|     | Approved  | 30.11.77   |

#### 4. **CONSULTATION RESPONSES**

4.1 Hanham Parish Council  
No objection

4.2 Other Consultees

Public Rights of Way

This development is unlikely to affect the nearest recorded public right of way, bridleway KW73 which runs adjacent to the rear of the property. Officers therefore have no objection.

Highway Engineer

Objection on the grounds of an unsafe access

Highway Drainage

No comment

## Other Representations

### 4.3 Local Residents

Two local residents have objected to the proposal and the points covered are summarised as:

- The objections relate to the engineering works to alter the level of the driveway and its consequences i.e. the impact on the access to the public right of way into Conham Vale and safety on Conham Hill itself
- We note the addition of electric gates and the location of CCTV
- Section 5 of the application form 'is a new or altered pedestrian access proposed to or from the public highway?'. The answer should be Yes as a major impact is to create a vehicular access directly across pedestrians' access on a previously vehicle free public right of way
- At present there is no vehicular access as stated, as permission has previously been refused
- The development would alter access to a public right of way to Conham Vale in two main ways: safe access and a consistent gradient giving access to all. Many people use the path into and out of the Vale (walking groups of young and older people; individuals and families, some with dogs or buggies; in summer cubs and youth groups from Hanham; cyclists). At the moment all can use the pavement and then continue into/out of the Vale. To cut across this would be to add unnecessary danger and stress especially for children, who currently have safe, single gradient access via a public right of way.
- There have been no vehicles entering or exiting this site before
- Concerns re access onto Conham Hill on this difficult bend – the application does not pay heed to the dangers at this point. You would have to emerge some distance before there was good visibility onto this hill, even with CCTV where people can and do drive fast in both directions. Parked vehicles on both sides of the road cause additional hazards. Again this would cause more problems for pedestrians/cyclists using the public right of way
- From the documents it seems the changes from the original application include one large step across the top of the Conham Vale footpath rather than graduated reworking, and the addition of CCTV cameras/ monitor.
- Very valid points have been put forward by another resident which we would echo. The footpath has constant use by a variety of users. Being the only footpath bypassing busy Conham Hill leading to Conham river park.
- I question the mitigation which the cameras will offer, Zone of vision? Blind spots? Which as far as I can tell haven't been submitted. We are also very concerned about our privacy and CCTV pointing at our property. What can be seen? From the plan it seems the camera would be able to look directly over our wall. How will data protection be applied to the images/video? Will there be recordings? CCTV Signs? I'm sure there would be recordings of a lot of exhausted people arriving at the top of that path, what security is on that data?
- This is a blind entrance with a very awkward manoeuvring zone dropping steeply from the road to the property passing closely to our wall. How will the cameras help with visibility down the footpath when re-entering the property? Cars are always parked on the bend at this point, where will they go?



- This access and building of the garage will come very close to our wall, we are worried about how all of these works will affect the ageing wall. From vibration/vehicle movements during engineering
- work and use. Will the garage have windows overlooking our property?
- Our existing access onto Conham Hill (which has been there since our house was built 1900) is not easy and is generally not in everyday use. Traffic using Conham Hill very rarely slow sufficiently for the bend, and there have been several accidents over the years damaging our wall and gate as well as parked vehicles.
- Often cars are half parked on the pavement on the opposite side of the road to allow extra room for fast flowing traffic. I believe there have been various proposals to alter traffic flows on this road, but nothing has happened apart from a high friction road surface around the bend, and a sign.
- We are disappointed to have only just been notified of this application since it has been on going since October. How PROW and the parish council can not have at least some comments or restrictions with a new access across a public footpath I dont know. Has a site visit happened?

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The application for the erection of a garage, stands to be assessed against the above listed policies and all material considerations. The main issues to be considered here is the overall design of the proposed garage and its impact on the host property, character of the area and the residential amenity of future occupiers and that of neighbouring dwellings.

Given the above it is therefore considered that the proposed garage accords with the principle of development.

### 5.2 Background

The original description of development included the creation of an access.. Comments and objections were received from local neighbours and from Highway Engineers in response to the original application. These comments were mainly concerned with the impact on the public right of way and the impact on highway safety that would result from the improved access. During the course of the application, the description of development was changed to only include the construction of the garage and not the creation of the access across land currently belonging to the Highway Authority. This area of land is of a rough, uneven surface and situated between the footpath leading down to Conham Vale (adjacent to the applicant's existing gateway) and the highway. It was proposed that this area of ground be changed to allow easier vehicular access into the property. It is noted that there already exists a dropped kerb at this location and so, for example, a larger vehicle built to tackle rough terrain could already gain access to the site. As mentioned above the property retains its permitted development rights and the *construction of a means of access to a highway which is not a classified road* can fall under these rights and as such planning permission would not be required for this type of work. Notwithstanding this, a licence would still be required from the Council's

Streetworks Team which must be made under separate arrangements with that department.

5.3 Public Right of Way and Footpath

This current application is for the erection of the garage only. However, it is noted that the Council's Public Rights of Way Officer expressed no concern regarding the proposal to alter the access into the property. This is primarily because Council records identify a public right of way running along the bottom of Conham Valley whereas the steps and the footpath alongside the application site are identified as a track or footpath from Conham Hill to Conham Vale. Thus the area of land immediately outside the gates of No. 37 including the footpath, pavement and the 'uneven' ground, belong to the Highway Authority. As mentioned above their permission is required prior to any alterations being made. It is acknowledged that the path is well-used by many different parties, as stated in comments received from local residents. It is also acknowledged that users' ability to access the footpath itself could be affected for a period of time while works to the ground level are completed, but it is assumed that the Streetworks Department would inform the applicant of his duty to e.g. keep this clear, make other arrangements, etc. To reiterate, in this instance the creation of a new access does not form part of this application and has therefore, not been assessed.

5.4 CCTV

Objection comments have been received regarding the installation of CCTV camera units due to concerns over privacy and overlooking. The introduction of such cameras falls under permitted development rights and therefore cannot be reason for refusing the application. However, if nearby residents have concerns regarding privacy then this would be a civil matter to be discussed between the relevant parties and not something that can be dealt with under a planning application.

5.5 Design and Visual Amenity of the Garage and works

The proposal is to erect a detached garage within the garden of No. 37 and create a turning circle on site. The garage would be positioned close to the boundary wall of the application site. It would measure approximately 6.1 metres in length, 3.2 metres wide, 2.4 metres to eaves with an overall height of 3.3 metres. It would have a dual pitched roof of concrete tiles, external walls finished in render and the vehicle opening in its east elevation. The proposed garage is considered to be of an appropriate design, scale and massing and as such is acceptable. The proposed electric gates, set back from the highway, would be wooden with a side movement and be of between 1.9 and 2.1 metres in height. In addition, and inside the residential curtilage is proposed an area for turning vehicles to ensure they could enter and exit the site in forward gear. It is noted that given the slope of the ground significant engineering works would be required to facilitate these structures but the proposal accords with the principle of development and can be recommended for approval.

5.6 Residential Amenity

The proposed garage and hardstanding/turning area would be positioned to the west of No. 37. In this location the garage would mostly be screened from view by the property's boundary wall and its 'tucked away' location. Given the

position and the distance from closest neighbours to the west it is considered there would be no adverse impact on the residential amenity of either these properties or those opposite on the other side of the busy main road. In this way the proposed garage is acceptable.

5.7 A neighbour has expressed concerns that the proposed garage would be very close to his wall and that any vibration/vehicle movement could affect the aging wall. The proposed garage would be positioned within the curtilage of No. 37 and separated from this neighbour's house by a distance of approximately 30 metres. It is acknowledged that the proposed garage would be approximately 2.6 metres from this neighbour's wall, but separated from it by the footpath and steps. In addition, the application site itself is bound by an old stone wall which is adjacent to the footpath and given the slope down to the valley is of a substantial height in places. The applicant would need to ensure that any works did not affect the structural integrity of this wall or interfere with the footpath and safety of users in any way. If the neighbour has any concerns regarding vibrations transferring across to and adversely affecting his wall to the south of the footpath, then this would be a civil matter to be discussed between the two parties.

#### 5.8 Sustainable Transport

As mentioned previously the description of works has changed and as such the comments from the Highway Engineers regarding the access do not need to be taken into consideration under this application. However, for the sake of completeness, it is worth noting their concerns. Alterations to the access are considered to be very similar to the earlier 2014 application PK14/0233/F which was recommended refusal on highway safety grounds and subsequently withdrawn.

5.9 The primary concern regarding this access would be the issue of visibility from the site access. The visibility splay from the proposed access is unacceptable in highway safety terms. Although the visibility to the left of the proposed access is good, the visibility to the right onto the main road is severely restricted due to the road alignment and boundary wall.

5.10 Conham Hill is subject to a 30mph speed limit and according to visibility guidance in the "Manual for Streets" document, visibility splays of 43m would be required. However, in this instance the visibility to the right of the access is restricted to under 10m. Vehicles approaching from the right would be on the same side as the access. They would also be on a straight section of road, which would enable them to travel fairly fast. Visibility to the right would be so restricted that a driver coming out of the access would have to emerge well into the road before he could see vehicles approaching from that direction. In the Highway Engineer's view such emerging vehicles would be a serious traffic hazard and if this were to have been part of the application it would have been recommended for refusal on highway and safety grounds.

#### 5.11 Street works

The issue of ownership of the land outside the 'red edge' is technically a civil issue and not as such a planning matter. As mentioned above the land over which the applicant intends to create an access is owned by the Highway

Authority and under the Highways Act 1980 permission to do works on such land, e.g. to create a dropped kerb or alter the levels of the land, must be sought from the proper authority. Once a proposal is received the Streetworks Team would make an assessment based on the individual site to include such items as the condition/level of the land and officers would also assess the safety implications of the creation of a new access at that particular location. If the Team is satisfied then a licence to do the work would be granted.

#### 5.12 Other matters

One resident questions whether a site visit has taken place. Planning Officers have visited the site on a number of occasions and have used this information within this report. With regard to others, such as PROW and the Parish Council, they are consultees whose comments are invited in order to assist the Planning Officer. These comments may come from existing local knowledge, from desk top studies, from visiting the site or a combination of all three.

This local resident has also mentioned that they did not know that an application had been submitted. Officers have checked the records and confirm that letters to this neighbour were sent out firstly on 27.10.14, along with all other appropriate neighbours, and again on 18.12.14 for the re-consultation.

## 6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to **grant** permission for the garage has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions written on the decision notice.

**Contact Officer: Anne Joseph**  
**Tel. No. 01454 863788**

## **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

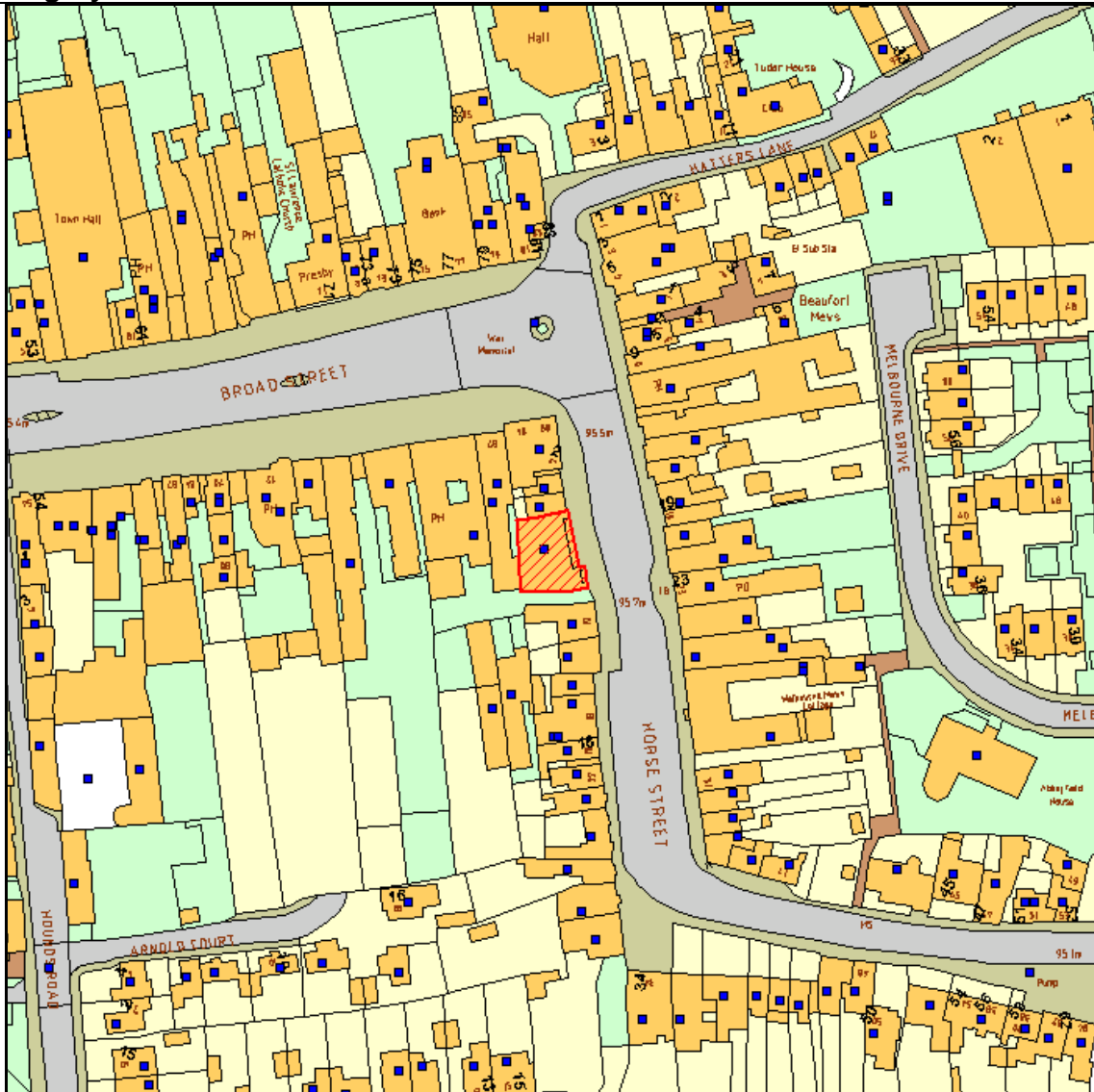
2. The hours of working on site during the period of construction shall be restricted to 8:00 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014

<b>App No.:</b>	PK14/4360/CLE	<b>Applicant:</b>	The Bed Boutique
<b>Site:</b>	Bed Boutique 8 Horse Street Chipping Sodbury Bristol South Gloucestershire BS37 6DB	<b>Date Reg:</b>	14th November 2014
<b>Proposal:</b>	Application for a certificate of lawfulness for the existing use of ground floor as a retail outlet (Class A1).	<b>Parish:</b>	Sodbury Town Council
<b>Map Ref:</b>	372921 182188	<b>Ward:</b>	Chipping Sodbury
<b>Application Category:</b>	Certificate of Lawfulness	<b>Target Date:</b>	8th January 2015



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 100023410, 2014. N.T.S. PK14/4360/CLE

## **REASON FOR REFERRAL TO CIRCULATED SCHEDULE**

This application is for a certificate of lawfulness, and as such, under the current scheme of delegation, is to be determined under the Circulated Schedule procedure.

### **1. THE PROPOSAL**

- 1.1 The application is for a certificate of lawfulness for the existing use of the ground floor of no.8 Horse Street, Chipping Sodbury, as a retail outlet (Use Class A1).
- 1.2 The application relates to a ground floor unit situated on a secondary shopping frontage falling within Chipping Sodbury Conservation Area.
- 1.3 During the course of the application additional evidence has been received in support of the application.

### **2. POLICY CONTEXT**

- 2.1 National Guidance
  - I. Town and Country Planning Act 1990
  - II. Town and Country Planning (Development Management Procedure) Order 2010
  - III. National Planning Practice Guidance 2014

### **3. RELEVANT PLANNING HISTORY**

- 3.1 N87/LBC - Demolition of internal courtyard walls and flat roof to facilitate the construction of new showrooms. Approved 8<sup>th</sup> December 1977
- 3.2 N3420 - Reconstruction of showrooms to provide car showrooms on ground floor and two flats above in accordance with revised plan received by the Council on the 2nd May, 1977. Approved 5<sup>th</sup> May 1977

### **4. SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF APPLICATION**

- 4.1 Various invoices for the following dates:  
17/01/1993, 25/06/1993, 02/11/1993, 17/08/1994, 10/07/1995, 22/02/1996, 29/10/1997, 31/07/1998, 26/11/1999, 13/01/2000.
- 4.2 Electricity Bill (small supplies) dated 22/07/1996
- 4.3 Signed letter from Mr S Nicholson (applicant) stating the following:
  - *When we initially moved into 8 Horse Street 'Toll House Pine' in early 1994 we were not aware we had to have an A1 approval for retail. The premises are a car showroom and therefore 'sui generis'. We have been trading out of this showroom for twenty years under "Toll House Pine – A1 Carpets and 'The Bed Boutique'.*
- 4.4 Signed letter from Declan Harrington (Owner of no.14 Horse Street) stating the following:

- *This letter is to confirm that over the period from 1994 to the present day no.8 Horse St has always been a retail outlet. Originally it was 'Toll House Pine' changing to 'First Choice Carpets' and finally to the present day 'The Bed Boutique'.*

4.5 Signed letter from Mr Andrew Curry (Joint Managing Director of Sleepcraft) stating the following:

- We certify that we have consistently traded with Toll House Pine 8 Horse Street, Chipping Sodbury from 1994-2006.

## **5. SUMMARY OF SUPPORTING EVIDENCE RECEIVED**

5.1 The following information has been received from South Gloucestershire Council's Business Rates Team:

- *On looking at the details on the property, it has been in the rating list since 1990 under the VOA property reference 395650080N classed as Showrooms and later as Showroom and Premises.*
- *From our information I can advise that since 1990 there was a car showroom in the property, from 1994 trading as a pine furniture showroom, from 2006 a flooring/carpet showroom and since 2011 Mr Nicholson trading as The Bed Boutique showroom.*

5.2 Letter from Mr John Gibbs Managing Director of JMI Bathrooms Ltd writing in support of the application.

- Mr Gibbs has an interest in purchasing the property with the intention to open a new branch in the property in March 2015.
- Mr Gibbs states that it is their understanding from carrying out investigation that 8 Horse Street has been trading as a retail outlet for 22 years.

## **6. SUMMARY OF CONTRARY EVIDENCE RECEIVED**

6.1 No contrary evidence has been received.

## **7. COUNCIL'S EVIDENCE**

7.1 The onus is on the applicant to provide the evidence in support of the application. However the following evidence held by South Gloucestershire is of note.

7.2 The Council undertakes an annual town centre and retail audit with results published in the 'Town Centre and Retailing in South Gloucestershire' document. The use of the application site has been audited as follows:

- August 2003: Furniture (Use Class A1)
- August 2004: Furniture (Use Class A1)
- August 2005: Furniture (Use Class A1)
- August 2006: Carpets/ Flooring (Use Class A1)
- August 2007: Carpets/ Flooring (Use Class A1)
- August 2008: Carpets/ Flooring (Use Class A1)



- August 2009: Carpets/ Flooring (Use Class A1)
- August 2010: Carpets/ Flooring (Use Class A1)
- August 2011: Carpets/ Flooring (Use Class A1)
- August 2012: Bedroom Furniture (Use Class A1)
- August 2013: Bedroom Furniture (Use Class A1)

## **8. CONSULTATION RESPONSES**

8.1 Sodbury Town Council  
No objection

8.2 Conservation Officer  
No comments.

### **Other Representations**

8.3 Local Residents  
No comments received

## **9. EVALUATION**

9.1 The application is for a certificate of lawfulness for the existing use of the ground floor of 8 Horse Street, Chipping Sodbury, as a retail outlet (use Class A1). The application therefore seeks to demonstrate that the ground floor of the building has been in use Class A1 for a continuous period of at least 10 years prior to the date of the submission. It is purely an evidential test irrespective of planning merit. The only issues which are relevant to the determination of an application for a Certificate of Lawfulness are whether in this case the land has been in a consistent Class A1 use for not less than ten years and whether or not the use is in contravention of any Enforcement Notice which is in force.

9.2 The guidance contained within the National Planning Practice Guidance 2014 states that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application. This is however with the provision that the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

9.3 Assessment of Evidence  
In terms of the evidence submitted by the applicant it is noted that the invoices provided cover the period between 1993 and 2000 albeit with only one invoice submitted for each of the years between 1994 to 2000. These invoices cover various items including furniture, mattresses, bubble wrap and carrier bags. The types of items on the invoice are consistent with the uses described in the signed letters from the applicant and from an adjacent shop owner both of which confirm that the unit has traded first for car showrooms changing to a furniture shop in 1994, followed by a carpet shop and then again as a furniture shop selling beds.

- 9.4 The above evidence is also consistent with the information provided by the Council's Business Rates Team who state that from their information they can advise that since 1990 there was a car showroom in the property, from 1994 trading as a pine furniture showroom, from 2006 a flooring/carpet showroom and since 2011 as The Bed Boutique showroom.
- 9.5 Although the onus is on the applicant to provide the necessary evidence in support of the application it is noted that the Council's own records contained within the Town Centre and Retailing audit is also consistent with the above evidence.
- 9.6 The original use of the unit as a car sales would have fallen under the category of 'sui generis' (in a class of its own). However, the use of the premises for selling furniture, carpets and beds would fall under use Class A1 (retail). Although the number of invoices submitted by the applicant are limited their statement regarding the use is consistent with the Council's Business Rates information, which imply that the change of use took place in 1994. The Council's retail audits also show an A1 use for a consistent period of at least ten years. There is no contrary evidence to contradict or otherwise make the applicant's version of events less than probable. As such it is considered that on the balance of probability the change of use took place in excess of 10 ten years from the date of the submission of this application and is therefore lawful.

## 10. **CONCLUSION**

- 10.1 It is considered that sufficient evidence has been submitted to confirm that on the balance of probability, the ground floor of no.8 Horse Street, Chipping Sodbury, has been in a consistent Class A1 (retail) use for a period of at least 10 years.

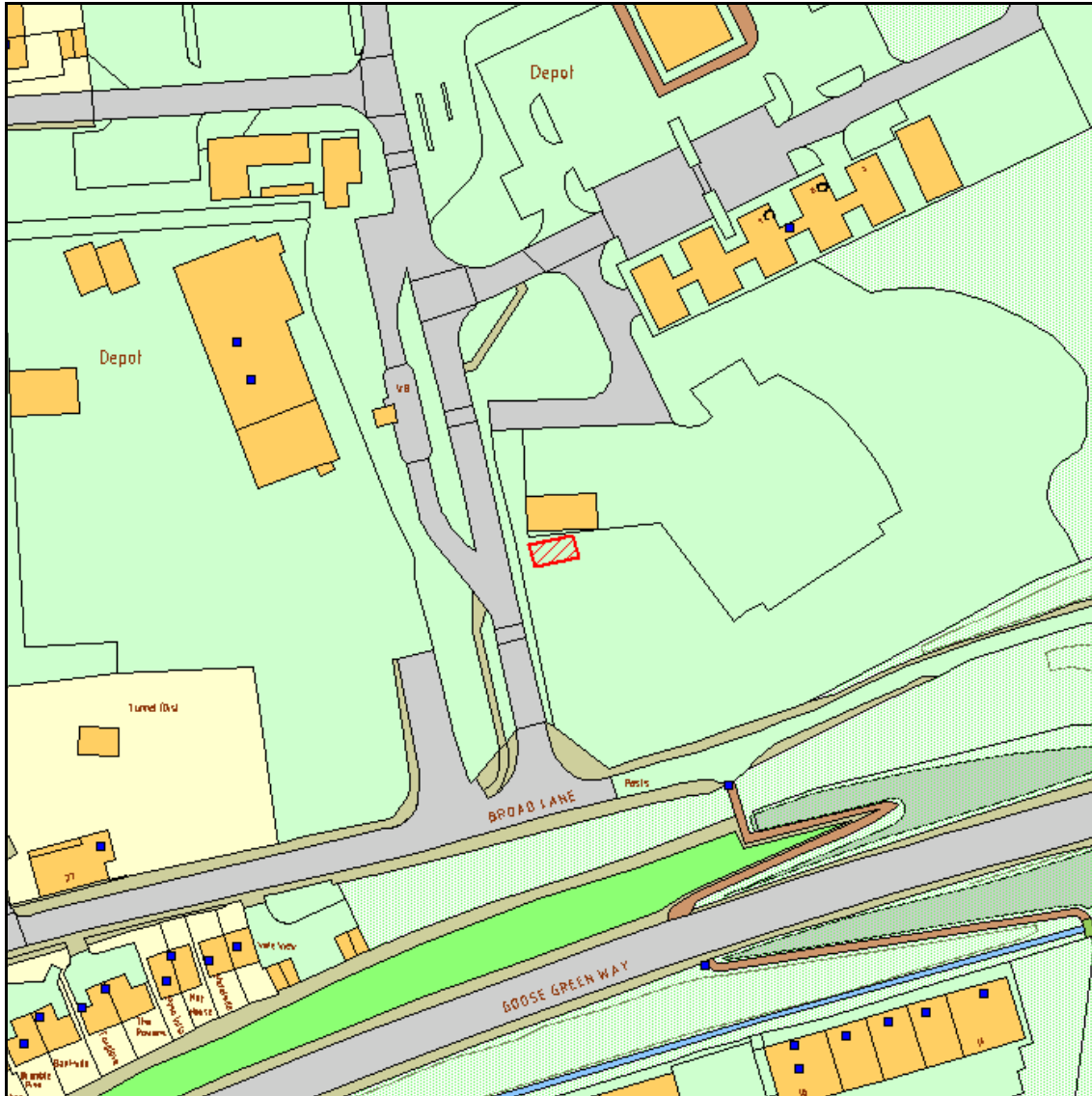
## 11. **RECOMMENDATION**

- 11.1 That a certificate of lawful development is **granted**.

**Contact Officer: Sarah Fordham**  
**Tel. No. 01454 865207**

**CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014**

<b>App No.:</b>	PK14/4540/R3F	<b>Applicant:</b>	South Gloucestershire Council
<b>Site:</b>	South Gloucestershire Council Broad Lane Depot And Offices Engine Common Yate South Gloucestershire BS37 7PN	<b>Date Reg:</b>	24th November 2014
<b>Proposal:</b>	Erection of 4 bay garage unit.	<b>Parish:</b>	Iron Acton Parish Council
<b>Map Ref:</b>	370261 183818	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th January 2015



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 100023410, 2014. **N.T.S.** **PK14/4540/R3F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is reported on the Circulated Schedule as it was submitted by the Council. The Council's Constitution requires that such applications are notified on the Circulated Schedule.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a garage unit at the South Gloucestershire Council depot. The building is to be built of pre-cast concrete and would have a depth of 4.6 metres, width of 8.6 metres and height 2.3 metres.
- 1.2 The garage would be sited towards the southern side of the side to the right of the entrance within an area used for MOT testing. The site is a safeguarded employment site.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012  
National Planning Practice Guidance

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan Core Strategy 2013**

CS1 High Quality Design  
CS9 Managing the Environment and Heritage  
CS12 Safeguarded Areas for Economic Development  
CS30 Yate and Chipping Sodbury

##### **South Gloucestershire Local Plan (Adopted) January 2006**

E3 Employment Development in Safeguarded Areas  
T12 Transportation Development Control Policy

### **3. RELEVANT PLANNING HISTORY**

The application site has an extensive planning history. The site is situated within an area where vehicle testing takes place and as such the following planning application is most relevant:

PK12/2837/R3F Erection of 1 no. storage building, 1 no. HGV test bay, 1 no. gritter vehicle store and relocation of tractor engine shed. Re-arrangement of road and parking layout within site and associated works (Deemed consent)

### **4. CONSULTATION RESPONSES**

#### **4.1 Iron Acton Parish Council**

No comment received

4.2 Other Consultees

Sustainable Transportation

No objection

Highway drainage – No objection

**Other Representations**

4.3 Local Residents

No replies received

**5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. In this instance, the site lies within a Safeguarded Employment Area as defined in Core Strategy Policy CS12 and as such the use is acceptable in principle against the Council's strategic objectives...

- 5.2 Policy E3 of the South Gloucestershire Local Plan (Saved Policy) sets the more detailed criteria for assessing whether the form of the development is acceptable in principle. The proposed development will be permitted provided that:-

*The Development would not have an unacceptable environmental effect*

The proposal represents a small addition to the large fully enclosed South Gloucestershire Depot. Given its scale and location, it is not considered that the proposal will have any unacceptable environmental effect.

*Development would not prejudice existing residential amenity*

The building given its scale and location would have no impact upon any adjoining residential occupiers who are located at distance from the site. The site is bounded by extensive boundary treatments which in any case ensures that the site is largely invisible from the outside

*The character of the area or settlement is not adversely affected*

Although the site is an established employment site, it does not lie within the development boundary of Yate. There is a degree of separation from the surrounding area formed by extensive established boundary vegetation and the road network and therefore this proposal is not considered to have any impact on the character of the settlement.

*The maximum density compatible with the sites location, its accessibility and its surroundings is achieved*

It is considered that the proposal is compatible with this criteria

5.3 Visual Amenity/Design

The building is of a functional design of no great merit however given its location within a highways depot set away from the boundary it is not considered that there would be any wider impact upon the visual amenity of the locality.

5.4 Transportation

The proposal is considered acceptable in transportation terms. The proposal has no implications for the wider highway network

**6. CONCLUSION**

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

**7. RECOMMENDATION**

Planning permission be granted

**Contact Officer: David Stockdale**  
**Tel. No. 01454 866622**

**CONDITIONS**

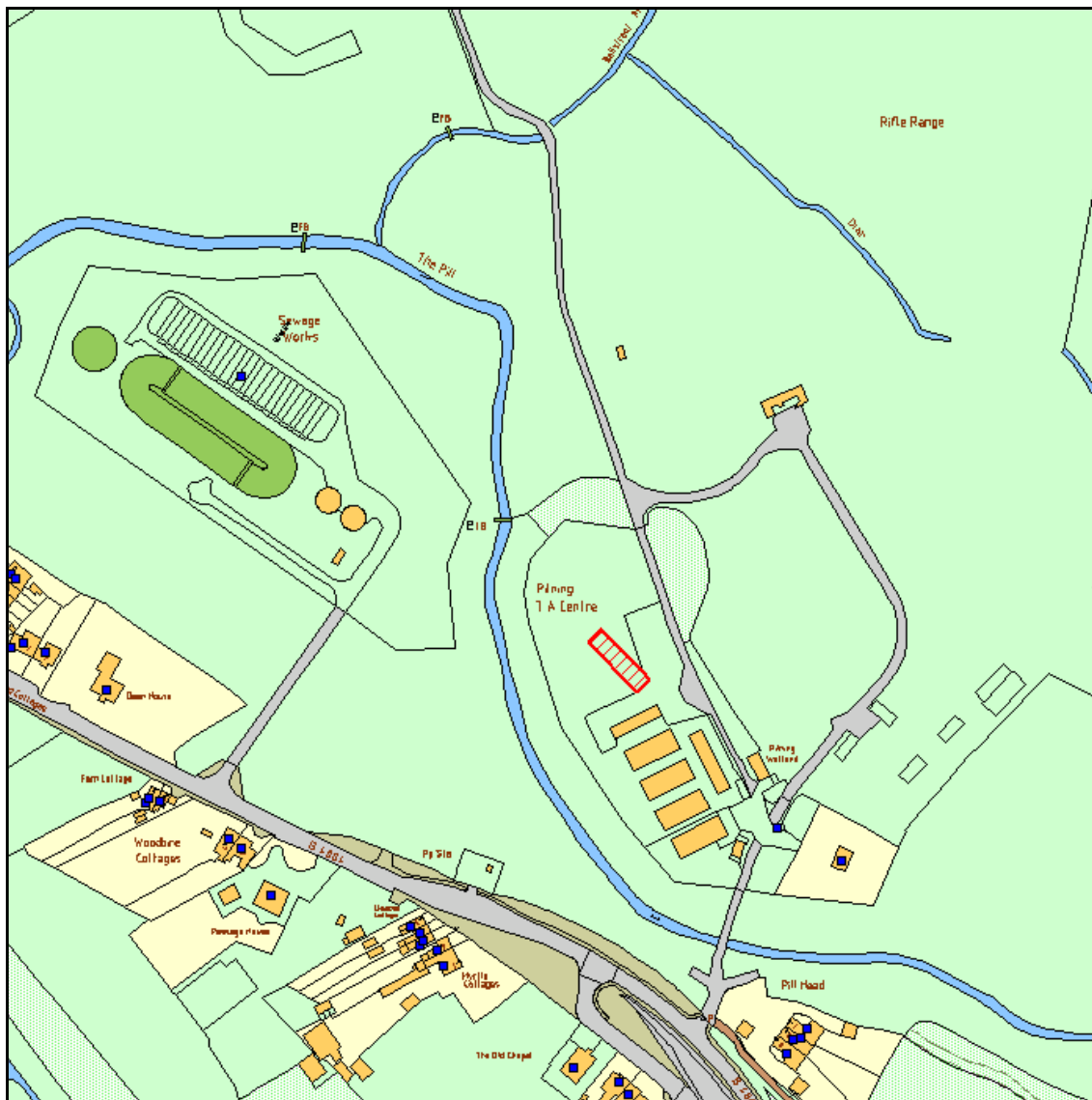
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

**CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014**

<b>App No.:</b>	PT14/3455/F	<b>Applicant:</b>	Wessex Reserve Forces And Cadets Association
<b>Site:</b>	Weekend Training Centre New Passage Road Piling Bristol South Gloucestershire BS35 4LZ	<b>Date Reg:</b>	7th October 2014
<b>Proposal:</b>	Erection of 2no. metal storage containers.	<b>Parish:</b>	Piling And Severn Beach Parish Council
<b>Map Ref:</b>	354610 186154	<b>Ward:</b>	Piling And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th November 2014



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule because it represents a departure from the Development Plan on Green Belt policy.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of 2no. pre-fabricated metal storage containers.
- 1.2 The application site comprises The Weekend Training Camp (WETC) used for the training of army and air cadets. The site is located to the north of New Passage Way within the open Green Belt outside of any defined settlement boundary. The site is located within Flood Zone 3, which is an area where there is a high probability of flooding, and within the Severn Estuary Coastal Zone. A public right of way extends directly adjacent to the southwest boundary of the site.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)  
T12 Transportation Development Control Policy for New Development  
LC12 Recreational Routes  
  
South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS5 Location of Development  
CS8 Improving Accessibility  
CS34 Rural Areas
- 2.3 Supplementary Planning Guidance  
The South Gloucestershire Design Checklist SPD (adopted)  
The South Gloucestershire Development in the Green Belt SPD (adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT06/0206/C84, Erection of 3 no. huts, boundary palisade fencing and other associated works for cadet training camp, approval, 09/03/06.
- 3.2 PT03/2409/C84, Demolition of existing buildings to facilitate erection of single storey timber building for use as a cadet youth activity centre, approval, 13/10/03
- 3.3 PT03/0184/C84, Erection of single storey timber building for use as a cadet youth activity centre, objection, 25/02/03.



#### **4. CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council  
No comment
- 4.2 Highway Structures Officer  
No comment
- 4.3 Landscape Officer  
No objection
- 4.4 Drainage Officer  
No objection

#### **Other Representations**

- 4.5 Local Residents  
No comments received

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Green Belt

The National Planning Policy Framework (NPPF) sets out the limited categories of development that are appropriate in the Green Belt. The proposed erection of 2no.metal storage containers does not fall within the limited categories of development that is appropriate in the Green Belt and therefore, represents inappropriate development and contrary to policy CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. The NPPF states that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ...Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 5.2 The proposed storage containers will be located on an existing concrete slab and each container will measure approximately 2.5 metres in width, 6 metres in length and 2.6 metres in height. Accordingly, there will be some loss of openness to the Green Belt. However, the site is secured by metal palisade fencing, and this, as well as the topography, vegetation, the relatively low height of the containers and their proximity to existing buildings on the site will ensure that there will not be a significant effect on the openness of the Green Belt. In addition, notwithstanding glimpses from the public right of way to the southwest, it is considered that the containers will be significantly prominent from public views.

The agent has provided the following supporting information with the application:

- 5.3 *The existing Weekend Training Camp (WETC) at Pilning is well used during the weekends and school holidays for the outdoor training of army and air cadets. The existing site has very little storage on site and this is adversely affecting the running of the WETC. The provision of additional storage facilities will allow for the continued and improved use of these facilities for the benefit of local young people. If additional storage were not permitted this would limit the usefulness of the site and affect its long term viability. The proposed metal storage buildings will be used for storing the cadet's kit and equipment which is used in conjunction with the outdoor activities run by the training centre.*
- 5.4 *The site is owned and administered by the Wessex Reserve Forces and Cadets Association who provides accommodation for the Air Training Corps (ATC) and the Army Cadet Force (ACF). The Centre is an important facility for the Association. It is therefore highly desirable that this facility is maintained with sufficient accommodation for use by local cadets. This additional storage will assist with cadet retention and recruitment and contribute to the long term viability of the facility.*
- 5.5 *The ATC and ACF aim to stimulate an interest in the Air Force and the Army, in their achievements, skills and values and advises and prepares those considering a career in the Services or with the Reserve Forces. It is Wessex Reserve Forces and Cadets Association's intention to continue to provide this valuable facility which provides training for the youth of South Gloucestershire and further afield.*

*The containers will be located on the site of a former Nissen Hut, which has been demolished. The volume of the storage containers proposed is significantly less than the volume of the Nissen Hut; the removal of the previous building made a significant improvement to the openness of the Green Belt.*

- 5.6 It is necessary to consider how much weight can be given to the very special circumstances put forward and whether on balance it sufficiently outweighs the harm to the Green Belt.

In terms of the first very special circumstance, the existing site is a cadet training centre where cadets take part in a number of outdoor activities, accordingly, the need for sufficient secure storage of associated equipment is considered necessary. The existing buildings at the site are given over to cadet accommodation, a kitchen/canteen, an ablutions block, and a cadet hut. There are no buildings dedicated to storage at the site; therefore, this very special circumstance holds significant weight.

The second and third very special circumstances set out that the community facility provides a valuable service in the local community in terms of education and the development of young people considering a career in the services, and that if sufficient and secure storage is not available then this would adversely affect the long term viability and function of the existing training centre. The NPPF encourages the retention of community facilities, and that decisions should guard against the unnecessary loss of valued facilities and services.

Accordingly, it is considered that these very special circumstances hold significant weight.

The fourth very special circumstance put forward is not considered to hold material weight, as the building has been demolished.

5.7 In this instance, it is not considered that there will be a significant harm to the Green Belt, as the proposed containers will not result in a significant loss of openness, or be prominent from views from the public realm. On balance, it is considered that the very special circumstances put forward for the need for the storage containers in terms of the need for secure storage for outdoor cadet activities, and the detrimental effect on the viability of a valuable community facility if sufficient storage is not provided, sufficiently outweighs the harm to the Green Belt.

5.8 Flood Risk

The proposal will function as ancillary to an existing cadet training centre, which is considered to be a use that is 'more vulnerable' to flooding. However, given that the existing cadet training centre is an established use, and the containers will be located on an existing concrete slab, it is not considered that the proposal will materially increase the risks from flooding. The applicant has clarified that the containers will be secured to the concrete base on which they will sit to prevent any possibility of them damaging property and persons in the event of a flood.

5.9 Although the site is located in a relatively isolated location outside of any defined settlement boundary it will function as ancillary to the existing use of the site. The proposal will not result in a material increase in levels of vehicular traffic over the existing situation. Accordingly, the principle of the development is acceptable. The main issues to consider are the appearance/form, the effect on residential amenity of neighbouring occupiers, the environmental effects, and the transportation effects.

5.10 Appearance/Form

The containers proposed are located on a concrete slab adjacent to two existing metal storage containers of the same size and design. The existing storage containers do not appear to have planning permission but are likely to be lawful by virtue of having been situated at the site for over four years. It is not considered that the containers will be prominent from views from the surrounding area or landscape and will be viewed in the context of an existing cadet training centre. The applicant has specified that the containers will be grey/green in colour to respect the rural context, which is the correct approach. A condition on this basis is therefore, not required if permission is granted. A permanent consent cannot however, be contemplated given the temporary nature of the storage containers, which although functional, cannot be considered to represent high quality design. If permission is granted, a condition is recommended for the storage containers to be removed after a period of 5 years.

5.11 Residential Amenity

Given that the site occupies a relatively isolated location, with no neighbouring properties within close proximity, it is not considered that there will be a significant adverse effect on the residential amenity of neighbouring occupiers through loss of natural light or privacy.

5.12 Environmental Effects

Although the site is located within a rural and coastal location which are areas where there is normally ecological conservation interest, the proposed containers will be located on an existing concrete slab. Therefore, it is not considered that there will be a material effect on wildlife. No trees that make a significant contribution to the character of the area will be adversely affected.

5.13 Transportation

Given the nature and siting of the proposed containers, it is not considered that there will be a material effect in terms of highway safety, vehicular traffic or parking.

**6. CONCLUSION**

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to advertise the application as a departure from the Development Plan has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

**7. RECOMMENDATION**

7.1 The application is advertised as a departure from the Development Plan under the Town and Country Planning (Development Management Procedure) (England) Order 2010 NOTICE UNDER ARTICLE 13 DEPARTURE FROM DEVELOPMENT PLAN and if no further comments are received after the expiration of this consultation period then the Director of Environment and Community Services grants planning permission subject to conditions under delegated authority.

7.2 Given that the floor area of the buildings is less than 1000 square metres, and there would not be a significant impact on the openness of the Green Belt, it is not necessary to refer the proposal to the Secretary of State.

**Contact Officer: Jonathan Ryan**  
**Tel. No. 01454 863538**

## **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

### Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The storage containers hereby permitted shall be removed and the land restored to its former condition within 5 years of the date of this permission.

### Reason

Given the temporary nature of the containers to encourage good quality design and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. The storage containers hereby permitted shall only function for purposes ancillary to the use of the site as a Cadet Training Centre.

### Reason

Very special circumstances have been provided for the need for the storage containers based on the individual circumstances of the use site. If the storage containers are used for other purposes it will represent inappropriate development in the Green Belt contrary to guidance contained in the National Planning Policy Framework; policy CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Development in the Green Belt SPD (adopted).

**CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014**

**App No.:** PT14/3827/F  
**Site:** Vermont House Down Road Alveston Bristol  
 South Gloucestershire  
 BS35 3JE

**Applicant:** Mrs Pauline Newland  
**Date Reg:** 15th October 2014

**Proposal:** Erection of single storey rear extension, and first floor front extension to form additional living accommodation. Installation of French doors to front elevation (resubmission of PT14/3030/F)

**Parish:** Alveston Parish Council

**Map Ref:** 363354 188321

**Ward:** Thornbury South And Alveston

**Application Category:** Householder

**Target Date:** 26th November 2014



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule as an objection has been received contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks consent to erect a single storey rear extension, a first floor front extension above the existing porch and seeks to change a window to a door opening on the front elevation. The proposal creates an additional reception room and a large ensuite bathroom.
- 1.2 The property is located in the Green Belt in the 'washed over' settlement of Alveston.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

H4 Development within Existing Residential Curtilages, including extensions and new dwellings

L1 Landscape

South Gloucestershire Local Plan Core Strategy adopted December 2013.

CS1 High Quality Design

CS5 Location of Development

CS9 Managing the Environment and Heritage

CS34 Rural Areas

Supplementary Planning Guidance

South Gloucestershire Council Residential Parking Standards SPD adopted December 2013.

Trees on development sites Nov 2005

South Gloucestershire Council Green Belt SPD adopted May 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PT14/3030/F Erection of single storey rear and first floor front extension to form additional living accommodation. Installation of French doors to front elevation. Withdrawn
- 3.2 PT03/3234/RM Erection of 2 dwellings Approved 2004
- 3.3 PT03/0014/F Erection of 2 dwellings Approved 2003

#### **4. CONSULTATION RESPONSES**

- 4.1 Alveston Parish Council  
Objection- erection of single storey rear extension and first floor front extension to form additional living accommodation and installation of French doors to front elevation due to over development of what is considered to be a restricted site.
- 4.2 Highway Drainage  
No objection
- 4.3 Transportation  
No objection -sufficient parking space for two cars
- 4.4 Tree Officer  
No objection but a tree report is required in relation to a tree in the neighbours garden (Savanna). This can be attached as a condition of works.

#### **Other Representations**

- 4.5 Local Residents  
One comment from a neighbour advises that there is an Acer Griseum (Paperbark Maple) within 0.8m from boundary which from original drawing had to be retained, PT03/3234/RM, being rock is close to ground level, roots would have spread outwards.

#### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. There is therefore a presumption in favour of development subject to further consideration in relation to the policies of the development plan.

In assessing applications for residential extensions, planning policy H4 of the adopted Local Plan and CS1 of the Core Strategy are particularly relevant. Policy H4 specifically relates to residential development, including extensions, and considers issues such as design, residential amenity and highway safety. CS1 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. As the site is also in the Green belt, within a washed over settlement policies CS34 and CS5 are also relevant.

- 5.2 Green Belt  
Policies CS34 and CS5 refer to Green belt and the NPPF sets out that disproportional extensions are inappropriate in the greenbelt. In this a case the



extension, having taken into account the rear conservatory and porch would equate to a 41% increase in the size of the house. This is not considered to be disproportionate to the scale of the original house and is appropriate scale of development within the washed over settlement. Neither does it have a material impact on the openness of the Green Belt in this location.

### 5.3 Design

This proposal extends the house sideways at two storey level, adding an appropriately sized extension in relation to the rest of the house. The proposal is to be finished in render and tiles to match existing materials which is appropriate. The extension would be located fairly centrally on the plot and this does not have a material impact on the street scene. The proposal involves the removal of an existing garage and maintains a good sized private garden area. The removal of the garage is not essential for residential amenity purposes. The design is considered acceptable subject to a matching material condition.

### 5.4 Residential amenity

The house is located behind a brick wall on Down Road which screens the lower halves of this site and the neighbouring house from the street. Neither the modest first floor extension at 0.8m deep, nor the rear extension is of a scale liable to affect the non-adjointed neighbouring houses by overshadowing or being overbearing. Similarly the windows proposed in the extensions and the new doors to the front elevation would cause no overlooking.

Owing to the tight nature of the site the original planning permission removed permitted development rights from this house and the neighbouring house, Savanna. This does not mean that development may never happen; simply that planning permission is required in order to enable the Local Authority to consider the merits of the case. In this case the first floor extension which stands directly over the 0.8m deep porch would have no effect on the footprint of the site and being this modest depth would have negligible impact on neither the neighbouring house nor the streetscene. In terms of the rear extension an area of the rear garden would be removed leaving a useable regular area of 6m by 8m as an enclosed courtyard. An area of lawn to the front of the house is also shown to be seating area with direct access from the dining area. The Council currently has no adopted minimum amount of outdoor space to be provided for such a four bedroomed house and as the rear outdoor space available is a useable shape, which has only single storey walls to three of the sides and is not cramped by other houses or overlooked, it is considered adequate for the current and future inhabitants of the house.

Notwithstanding that the proposal is not considered to affect the neighbouring properties once built, given the close proximity of the neighbour a working hours condition would be necessary whilst the building works are undertaken.

### 5.4 Transportation

The site currently has vehicular access off Down Road which provides two parking spaces which will continue to provide adequate parking under the Councils parking standards. There is no reason to increase parking provision as no additional bedrooms are being sought.

## 5.5 Trees

The site has trees at the rear behind the rear garden wall. There is also a smaller tree in the corner of the neighbour's garden which would be closest to the proposed single storey rear extension. This would be the only tree reasonably affected by the proposal. This tree is not of sufficient size to offer public amenity and not worthy of a TPO. The tree is connected to planning application PT03/3234/RM as it is noted to be retained on the approved plan. Some disturbance to its roots is likely to occur by being close the applicant's garden and the agent has suggested that the detail of foundations are submitted. Regard should be given to the retention of the tree given its conditioned status and that it belongs to the neighbour but specially designed foundations may not be necessary and as such a tree report is the most appropriate way forward in order to establish whether mitigation, perhaps in regard to particular foundations, is required in the interests of the long term health of the tree.

## 5.6 Archaeology

The proposal is not considered to affect archaeological effects. As such there is no objection to the application.

## 6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan and the Core Strategy set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

7.1 That planning permission is granted subject to the conditions set out on the decision notice.

**Contact Officer: Karen Hayes**  
**Tel. No. 01454 863472**

## CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing dwelling.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

3. The hours of working on site during the period of construction shall be restricted to 7.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

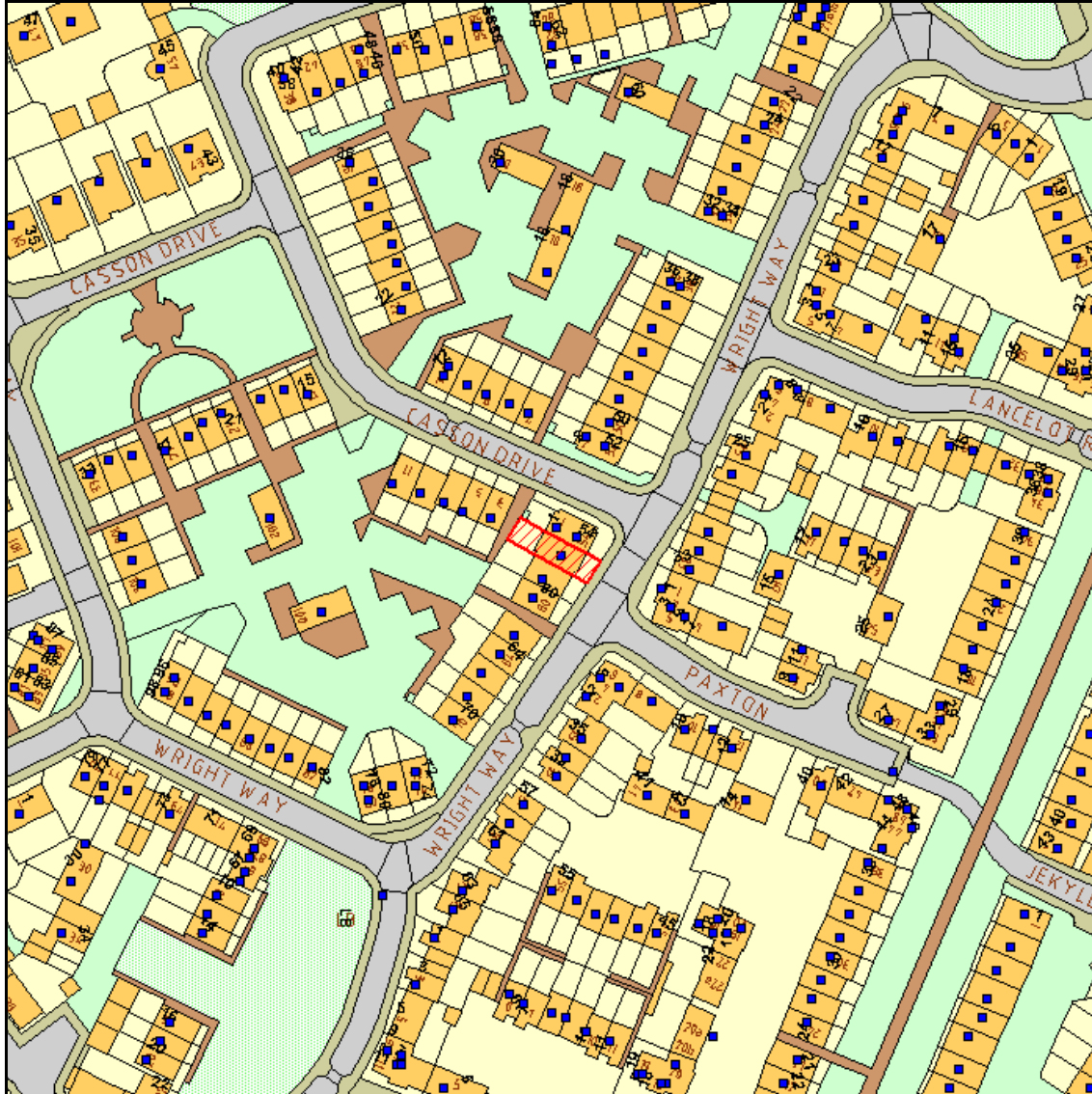
4. Prior to the commencement of the ground floor rear extension a Tree Survey shall be submitted to establish whether mitigation measures in relation to the tree within the garden of Savanna are required. The tree report, together with details of any mitigation required shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

In the interests of the long term health of the tree located immediately next door at Savanna, and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014

<b>App No.:</b>	PT14/4217/RVC	<b>Applicant:</b>	Groves Park Investments Ltd
<b>Site:</b>	56 Wright Way Stoke Gifford Bristol South Gloucestershire BS16 1WH	<b>Date Reg:</b>	31st October 2014
<b>Proposal:</b>	Variation of condition 2 of appeal decision attached to PT13/3822/F to read, The development hereby permitted shall be carried out in accordance with the following approved plan entitled Proposed Floor Plan.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362268 177602	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Minor	<b>Target Date:</b>	23rd December 2014



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 100023410, 2014. N.T.S. PT14/4217/RVC

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

The following report appears on the Circulated Schedule following an objection from the Parish Council contrary to Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks permission to vary condition 2 attached to the appeal decision dated 19.8.14. Planning permission application PT13/3822/F was for the change of use from a 6no. student HMO to a 7no. student HMO at No. 56 Wright Way, Stoke Park, Bristol and was refused on grounds of adverse impacts on parking in the area.

The purpose of the application is to create an additional 2no. bedrooms to this student house and at the same time create 2no. window openings in the front elevation to serve each of the two new bedrooms.

- 1.2 Two conditions were attached to the permission granted under the appeal. The first related to the statutory time scale under which the development should take place and the second, subject of this application stated:

*The development hereby permitted shall be carried out in accordance with the following approved plan: Floor plan entitled 'Proposed change of use: HMO C4 to HMO Sui Generis'.*

In his report the Inspector gave a reason for the inclusion of the above condition stating:

*... for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plan is also required.*

### **2. POLICY CONTEXT**

#### South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

T7	Cycle Parking
T12	Transportation Development Control Policy for New Development
H4	Development within Existing Residential Curtilages
H5	Houses in Multiple Occupations

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol Urban Area

- 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

### 3. RELEVANT PLANNING HISTORY

- 3.1 PT13/3822/F Change of use from 6 student HMPO (Class C4) to 7 Student HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Refused 12.2.14

Reason: The Local Planning Authority has considered the proposed development on its individual merit and concludes that the proposed development would result in additional pressure on on-street parking available in the locality to the detriment of the amenity of the locality. The development is contrary to saved policy T12 of the South Gloucestershire Local Plan (2006) and the adopted South Gloucestershire Parking Standards Supplementary Planning Document (2013)

**Appeal allowed 19.8.14**

**Inspector's conclusion:**

***... the proposed change of use would not adversely impact upon highway safety and the living conditions of residents in the surrounding area in respect of parking provision***

**Appeal costs dismissed**

- 3.2 P99/1472 Erection of 148 dwellings and associated garages and parking (approval of reserved matters)  
Approved 4.11.99
- 3.3 P97/2145 Demolition of hospital buildings and redevelopment of the site for housing (outline)  
Approved 3.3.99

### 4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council  
Local Member to call to Sites - Loss of residential amenity.

- 4.2 Other Consultees

Tree Officer  
No objection

Sustainable Transport Officer

We have now reviewed this planning application and note that it seeks to vary condition no 2 placed on the planning permission (ref PT13/3822/F) granted for development at 56 Wright Way, Stoke Gifford. We understand that this condition makes reference to a number of drawings and the current application seeks to revise the drawings that referred to in this planning condition. We do not consider that the current application will materially alter this development

and we would not wish to make any highways or transportation comments about it.

### **Other Representations**

- 4.3 Local Residents  
None received

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

s.73 of the Town and Country Planning Act 1990 allows for an application to be made that would vary/remove or improve the conditions attached to the approved permission. Under this s.73 provision the local authority must only consider the question of the conditions. The outcome may be that the permission shall be subject to the same conditions as attached to the previously stipulated decision or be subject to different conditions or that permission should be granted unconditionally. As such only the question of the conditions can be considered under this application and the Local Authority has the right to impose new conditions subject to them being conditions that they could have lawfully imposed on the earlier permission and which do not amount to a fundamental alteration to the proposal put forward. It must be noted that an application under s.73 cannot be used to plug any perceived holes in the earlier permission.

- 5.2 It is essential that any conditions attached to a decision notice meet the six tests: necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects. The two conditions and their corresponding reasons must meet these criteria. The original application was refused in February 2014 and allowed at appeal in August 2014. It is considered that since that decision there have been no material changes to the application/site but further evidence in the form of a car parking survey and corresponding photographs have been presented along with a revised internal layout plan which also proposes the introduction of 2no. new windows to the front elevation.

- 5.3 As the decision was allowed at appeal, the Inspector's appeal decision report is of material consideration in the assessment of this application which seeks to vary the condition set by him within that report.

- 5.4 This application is to assess the harm of varying the conditions attached to the Inspector's decision which would allow the introduction of 2no. new windows to the front elevation to facilitate the creation of 2no. new bedrooms.

### **5.5 Changes to condition 2:**

The applicant wishes to change condition 2 to read:

*The development hereby permitted shall be carried out in accordance with the following approved plan entitled 'Proposed floor plan'.*

## Assessment

Condition 2 as set by the Inspector reads:

*The development hereby permitted shall be carried out in accordance with the following approved plan: Floor plan entitled 'Proposed change of use: HMO C4 to HMO Sui Generis'.*

- 5.6 In his report the Inspector states his reasons for attaching the condition. He emphasises that the situation should be unambiguous (to avoid doubt) and be in the interest of *proper* planning and as such the development should be carried out *in accordance with the approved plan*.
- 5.7 The proposed change to the condition under this application would mean that the development would follow a new set of plans. These new plans show an increase in the number of bedrooms by 2no. resulting in An overall total of 9no. bedrooms. It must be noted that the increase in bedrooms would be achieved by the sub-division of two existing bedrooms. These bedrooms could, however, already be occupied by 2no. people and so there may not be an increase in the number of occupants living the in the property. It is acknowledged that this is an assumption but nevertheless, it is possible and so the additional harm caused by the subdivision of the bedrooms must be assessed.
- 5.8 Details supplied show the amount of bedroom space and the amount of communal space within the property meets the standard required by the Private Sector Housing department. There can therefore be no objection on this basis. Given this, and on balance, it is considered that there would be no additional harm to the occupants (existing or future) caused by the sub-division of the rooms. As such the proposal is acceptable.
- 5.9 The proposal also includes external alterations to the property which would provide a window for each of the newly created bedrooms. The windows would be to the front elevation and would follow the pattern of the existing fenestration. It is acknowledged that the properties opposite are quite close but nevertheless it is Officer opinion that the introduction of two more windows in this elevation would not adversely impact on the residential amenity of neighbours over and above the existing situation.
- 5.10 The Inspector states the main issue in his assessment was *the effect of the proposed change of use on highway safety and the living conditions of residents in the surrounding area in respect of parking provision*.
- 5.11 In his report the Inspector accepted the highway surveys supplied by the appellant and the argument that the occupiers would likely be students who would walk to UWE. He concluded that the additional bedrooms would not adversely impact on parking or highway safety. The situation in this instance is not that different. The Highway Officer has commented that he again, has no objection to the proposal.



5.12 Given the above with regards to the potential impact on residential amenity and more importantly on highway safety and parking, it is Officer opinion that the proposed changes would not adversely harm the existing situation, as such are acceptable and can be recommended for approval.

## **6. CONCLUSION**

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to **vary the condition** has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

7.1 That the application be **APPROVED** subject to the conditions attached to the decision notice.

**Contact Officer: Anne Joseph**  
**Tel. No. 01454 863788**

## **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

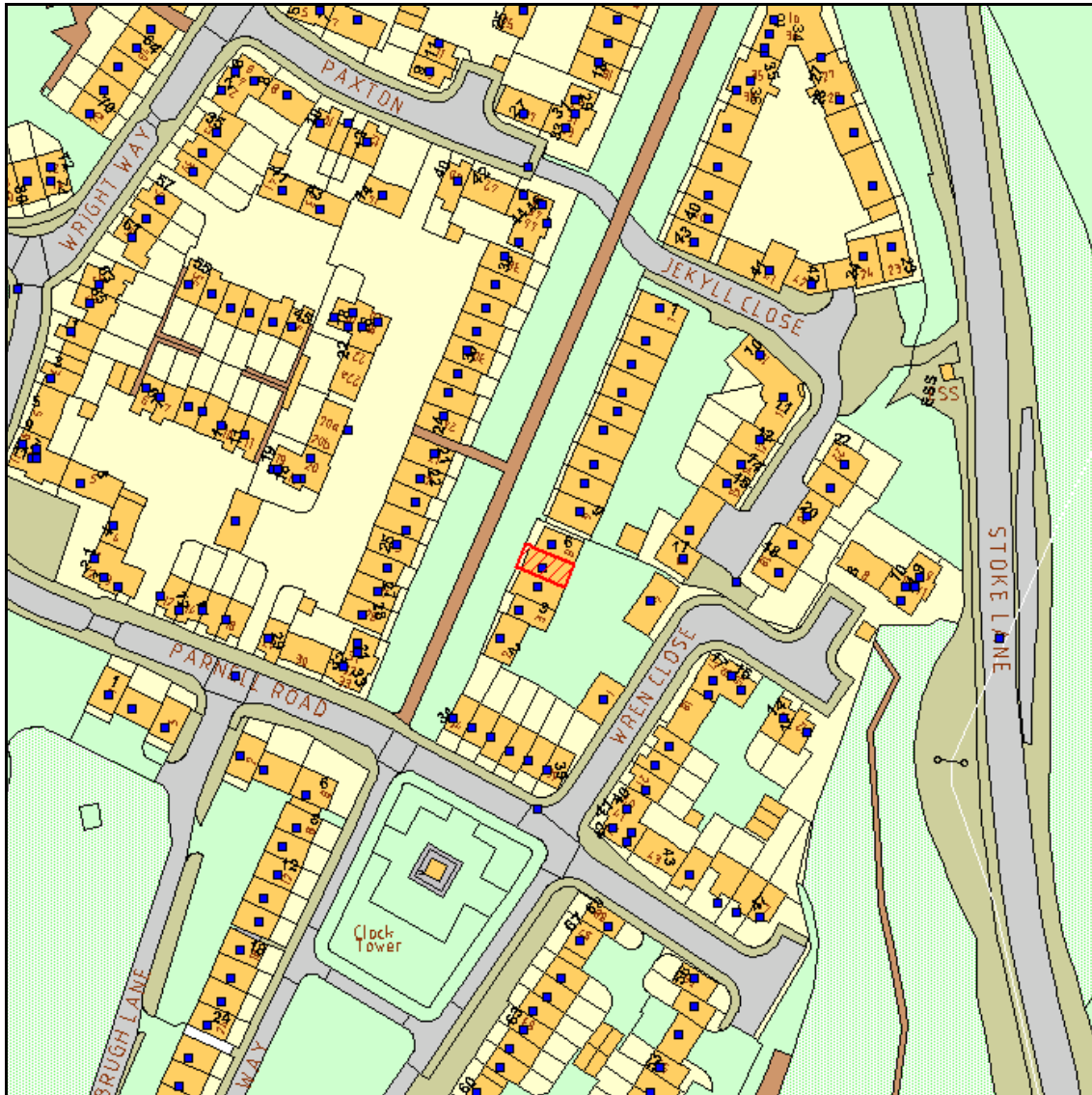
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed floor plan

Proposed front elevation

**CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014**

<b>App No.:</b>	PT14/4218/F	<b>Applicant:</b>	Groves Park Investments Ltd
<b>Site:</b>	5 Wren Close Stoke Park Bristol South Gloucestershire BS16 1WB	<b>Date Reg:</b>	11th November 2014
<b>Proposal:</b>	Change of use from 6no. student HMO (Class C4) to 7no. Student HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362341 177471	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Minor	<b>Target Date:</b>	24th December 2014



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 100023410, 2014. **N.T.S.** **PT14/4218/F**

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule for determination as a comment of objection has been received.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for a change of use from a dwellinghouse used as a House of Multiple Occupation (HMO) for 6 persons (Class C4) to a HMO for 7 persons (Sui Generis). Internal works required to make the additional bedroom do not require planning permission.
- 1.2 The application site is a mid-terraced townhouse on the Stoke Park estate. It is located within a small courtyard which provides one off-street parking space to the front of the dwelling and an internal garage.
- 1.3 HMOs must be licensed by the Council's Private Sector Housing Team; this is a separate process from a planning application.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012

- 2.2 Development Plans

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS15 Distribution of Housing

CS17 Housing Diversity

CS25 Communities of the North Fringe of Bristol

#### South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T7 Cycle Parking

T12 Transportation

H5 Houses in Multiple Occupation

- 2.3 Supplementary Planning Guidance  
Residential Parking Standard (Adopted) December 2013

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P99/1510 Approval of Full Planning 30/09/1999  
Erection of 201 dwellings (approval of reserved matters)
- 3.2 P97/2145 Approval of Outline Planning 03/03/1999  
Demolition of hospital buildings and redevelopment of the site for housing (outline)

#### **4. CONSULTATION RESPONSES**

4.1 Stoke Gifford Parish Council  
None received

4.2 Drainage  
No comment

4.3 Transport  
No objection

#### **Other Representations**

- 4.4 Local Residents  
One letter of objection has been received which raises the following points:
- Increased noise; noise disturbance occurs through the walls
  - Lead to sleep disturbance
  - One additional resident brings a whole new circle of visitors
  - Parking survey conducted during holiday period
  - Parking survey shows area around 56 Wright Way and not the application site, a 4-5 minute walk from the site
  - Poor refuse management leading to overflowing receptacles
  - Student housing does not follow the pattern of use as housing by families and professionals
  - Surrounding area subject to parking restrictions

#### **5. ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for a change of use to a HMO (Sui Generis).

5.2 Principle of Development  
Policy H5 allows for the conversion of existing dwellings into HMOs subject to an assessment of the impact on the character of the area, amenity, and parking. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.3 Parking  
In Stoke Park, parking is a contentious issue as the site is often used by students of the adjacent university. The planning authority cannot control on-street parking; this must be done through traffic regulation orders and the estate is subject to a number of these. When assessing a planning application, the planning authority must consider whether there is sufficient off-street parking to meet the needs of the development proposed.

5.4 The proposed development would increase the number of residents in the house by one. It is not considered that the addition of one resident would have a material impact on the parking situation in Stoke Park. Furthermore, the application is accompanied by a parking survey that indicates on-street parking is available within the vicinity of the site.

It is considered likely that the HMO would be let by students due to the proximity to the university and therefore the site is likely to have a lower reliance on the private motorcar. The existing garage would be capable of providing secure undercover bicycle storage.

5.5 Based on the above, it is not considered that the development would have a material impact on highway safety or parking provision and therefore there is no objection raised on this basis.

5.6 Character

No external changes are proposed and therefore the building will exhibit the same character as existing. Stoke Park is a relatively dense housing estate and the increased in residents is not considered to have an impact on the character of the area.

5.7 Amenity

Development should not prejudice residential amenity. As no operational development is proposed, it is considered unlikely that the development would result in any additional overlooking or a loss of privacy to nearby occupiers. Although it is stated that there would be an increase in noise, this is not considered to be of the level where it would be harmful; the increase to 7 from 6 is not considered to materially affect noise levels.

5.8 The property has only a very small terrace as its amenity space. This is not private as it backs onto the grassed area to the rear of the property. The amenity space connected with the property is therefore limited. However, there is public open space both directly behind the property and to the south which is considered to be adequate to provide for the needs of the property.

5.9 Other Matters

It has been stated that residents do not follow the correct refuse and recycling requirements. A planning application can only address the storage of bins (which is considered to be adequate). It is up to the occupiers to ensure the correct procedure is followed.

**6. CONCLUSION**

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 It is recommended that planning permission be GRANTED subject to the condition listed below.

**Contact Officer: Griff Bunce**  
**Tel. No. 01454 863438**

## **CONDITIONS**

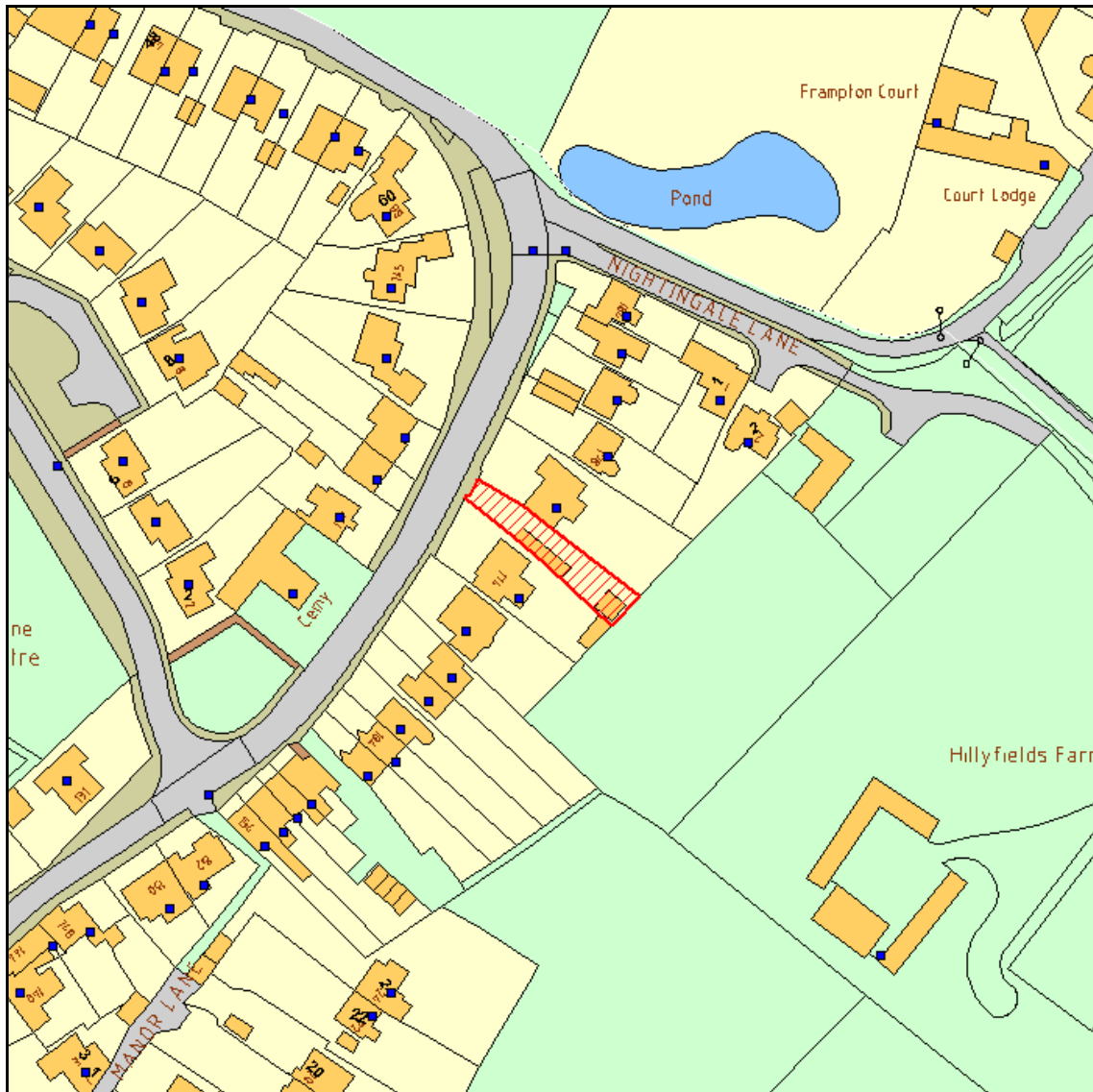
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

## CIRCULATED SCHEDULE NO. 01/15 – 31 DECEMBER 2014

<b>App No.:</b>	PT14/4336/F	<b>Applicant:</b>	Mr D W Blandford
<b>Site:</b>	176 Watleys End Road Winterbourne South Gloucestershire BS36 1QH	<b>Date Reg:</b>	10th November 2014
<b>Proposal:</b>	Demolition of existing outbuildings and erection of 1no. detached dwelling with access and associated works. (Re Submission of PT14/2097/F)	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365997 181461	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	5th January 2015



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## **REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule in accordance with the Council's adopted scheme of delegation as a number of representations have been received contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a detached three-bedroom dwelling to the side of 176 Watleys End Road in Winterbourne. An earlier application, PT14/2097/F, was withdrawn in order that the applicant could enter into discussions regarding the design of the proposed dwelling. The application as proposed is the outcome of these design discussions.
- 1.2 The application site is located within the settlement boundary of Winterbourne. The edge of the settlement boundary runs along the rear boundary of the property; this is also the boundary of the Bristol and Bath Green Belt which covers the open countryside to the rear. A locally listed building, Ebenezer Chapel, stands approximately 25 metres to the west of the site. Watleys End Road is a Class C adopted highway.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1 High Quality Design  
CS4a Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS15 Distribution of Housing  
CS16 Housing Density  
CS17 Housing Diversity  
CS34 Rural Areas

##### **South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)**

L1 Landscape  
L5 Open Areas within Defined Settlements  
T12 Transportation  
H4 Development within Existing Residential Curtilages

#### **2.3 Supplementary Planning Guidance**

- (a) Residential Parking Standard (Adopted) December 2013
- (b) South Gloucestershire Design Checklist (Adopted) August 2007
- (c) Watley's End Village Design Statement (Endorsed) March 2013



### 3. **RELEVANT PLANNING HISTORY**

- 3.1 PT14/2097/F      Withdrawn      29/09/2014  
Demolition of existing outbuildings and erection of 1no. detached dwelling with access and associated works.

### 4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
Objection      Comments as per PT14/2097/F:  
"This is infill development of the worse kind and totally inappropriate to the street scene. The proposed development is overbearing to the neighbouring property and over development of the site."
- 4.2 Drainage  
Request a SUDS condition
- 4.3 Highway Structures  
No comment
- 4.4 Transport  
None received against this application. Access arrangements remain the same as per application PT14/2097/F. The highways team made the following comments in relation to the earlier application:
- A condition is required to ensure that the first 5 metres of the new and existing access are of a bound material to avoid tracking loose stone on to the highway;
  - The parking and manoeuvring areas as shown on the plans must be provided prior to the first occupation of the dwelling and thereafter retained;
  - Planning permission does not grant the right to form the access; permission for this should be should from the Development Implementation Team.

### **Other Representations**

- 4.5 Local Residents  
Four letters of objection from local residents have been received that raise the following points –
- Proposed dwelling does not reflect the local context or street pattern in terms of its design
  - Proposed dwellings is not in keeping with the scale and proportions of the surrounding buildings
  - Development would be out of character
  - Character of area is defined by buildings of a traditional appearance
  - New house is only 1.4m from boundary
  - Access is limited
  - New house is squeezed in
  - Materials are not appropriate

- Development would lead to overlooking
- New house would cause overshadowing
- Result in additional on-street parking
- Access would suffer from poor visibility
- Private sewer would prevent the erection of scaffolding
- Request construction hours condition
- There is no need for infill housing in the area
- Development will result in the loss of garden land
- Development would have an adverse impact on views
- Adequate parking needs to be provided
- Watleys End Road is busy at times (peak school hours) and is a bus route
- Children cycle along the road
- Road is subject to equestrian traffic from the nearby stables
- Development may encroach on the neighbouring property
- Detrimental to physical and mental health of nearby occupiers
- Development is more appropriate in a new estate than in a traditional setting

## 5. **ANALYSIS OF PROPOSAL**

5.1 This application seeks planning permission for the erection of a new dwelling on Watleys End Road in Winterbourne.

### 5.2 Principle of Development

Residential development within existing defined settlements is supported by the Council's locational strategy as set by policy CS5. In addition, policy H4 would allow for the erection of a dwelling within the curtilage of an existing dwelling subject to an assessment of design, character, amenity and transport. Therefore, the proposed development is acceptable in principle but should be determined against the analysis set out below.

### 5.3 Character of Locality

The Watley's End Village Design Statement (VDS) was endorsed by the Council in March 2013. This document seeks to preserve the character of Watley's End, focusing mainly on the old village core of Factory Road, Salem Road, Common Road, North Road, and the Cloisters. The application site sits outside of the historic core to the northeast. Watley's End is of historic importance as an early place of hat manufacturing and was once a separate village from Winterbourne which is to the southwest although the two settlements have now merged. A number of former factory buildings and workers cottages remain in the area and these characterise much of the street scene on the roads listed above.

5.4 However, the character of the area is diluted as one moves further away from the old village core and the extent to which this character extends to the area immediately surrounding the application site is limited. Either side of the application site stands dormer bungalows of the early- to mid- twentieth century. Towards the old village core from the site stands a mix of dwellings including a terrace of cottages, some infill mid-twentieth century housing. On the opposite side of the road is a couple of cottages and Ebenezer Chapel

which do have a historic character. In the other direction from the application site, stands a cluster of late-twentieth century houses.

Due to the mix of architectural styles in close proximity of the application site, the site itself cannot be defined as having a particularly strong local vernacular or character. Infill housing therefore cannot on its own be considered to be out of character with the prevailing characteristic of the site.

#### 5.5 Layout

Layout is important to ensure that development does not harm the locality. As stated above, the area benefits from a mix of property styles and sizes. It is proposed to erect a small three-bedroomed property on land to the side of an existing bungalow. The area on which the property would be built is currently used as ancillary parking and garaging for the existing house. The parking could satisfactorily be relocated to the front of the dwelling and this would not be harmful.

5.6 The resulting development site is would be approximately 7 metres wide between the two existing dwellings and 40 metres deep. This is only marginally smaller than the existing plots for nos.178 and 182 to the northeast and nos.162-170 to the southwest, although it should be noted that the properties to the southwest are semi-detached and terraced dwellings.

5.7 On this basis, it is not considered that the development would be cramped. Adequate private amenity space is retained for no.176 and the new property would benefit from a good sized garden.

5.8 The proposed house would be on a more angular alignment than those to either side of it; however, there are examples of such development in close proximity of the site. Namely, these are nos.178, 143 and 145. The proposed dwelling would also be slightly set back from the existing adjacent properties; however, this is similar to the existing situation at no.178 which is set behind the application site (no.176).

5.9 Overall, the proposed layout is considered to make the most efficient use of a relatively narrow plot and is not considered to be harmful to the density or layout of the local area. Furthermore, it is not considered that the proposal would be inappropriate development of residential gardens.

#### 5.10 Design

Whilst it is acknowledged that there are historic properties nearby, the VDS seeks to ensure that new development respects and enhances the area. New development therefore has two design approaches – to mimic the historic form and appearance of nearby dwellings or to have a modern appearance to act as a contrast. There are merits to both approaches although it is often more difficult for new development to successfully replicate a historic building form, as it can appear pastiche, than it is to sensitively design a modern building which respects its surroundings.

5.11 The modern approach has been pursued in this development proposal. However, in line with the approach suggested in the VDS, the massing and scale of the development has been informed by that in the locality. Particular

attention has been paid to preserving the horizontal lines set by the eaves of the adjacent bungalows by emphasising this with a change in materials and the height of the proposed building. The massing of the proposed house has also been broken up by the use of an asymmetrical roof design. This avoids a large gable which is one of the design suggestions in the VDS.

- 5.12 Externally, the proposed dwelling would be finished with a render to the ground floor and timber cladding to the first floor with a zinc roof. The VDS acknowledges that at present there is only a limited palette of materials that are used in the area, including local stone, render and double roman roof tiles. Yet the VDS explicitly states that local materials and timber may be appropriate within Watleys End. To this extent, the use of timber and render is appropriate. Whilst roofs in the locality are characterised by the use of double roman roof tiles, the use of these on a building of modern design is considered to be inconsistent with the general design approach and likely to appear mismatched on completion.
- 5.13 Guidance contained in paragraph 60 of the NPPF states that planning authorities should not attempt to impose architectural styles or particular tastes or stifle innovative or original design but should promote a local distinctiveness. The insertion of a piece of well designed modern architecture is not considered to be harmful to the street scene or to have a prejudicial impact on the prevailing character of the area. As a result, the proposal would not be harmful to local distinctiveness, instead it would add to the already various architectural styles in the locality.
- 5.14 The proposal is therefore considered by officers to meet the highest possible standards of site planning and design and to reflect the context of the application site in the appearance of the proposed dwelling. As such it is considered that the development meets the relevant design policy considerations and would have minimal impact on designated heritage assets nearby.
- 5.15 Boundary Treatment  
Notwithstanding the above, there is one element of the design that could be improved. The VDS seeks to preserve the open feeling of front gardens and encourage the use of dry stone walling for front boundary treatments. Within the local area, there is a strong character of boundary walls being constructed from local stone and to a lesser extent, brick. As proposed, the boundary between the new dwelling and no.176 would be a timber fence; this is not considered to be appropriate. In order to make the development appropriate, a condition will be attached that requires this boundary wall to be constructed as a dry stone wall in order to preserve the character of boundary treatments in the vicinity.
- 5.16 Living Conditions  
Development should not be permitted that would have a prejudicial impact on the living conditions of nearby occupiers or where the resulting development would benefit from a less than good standard of residential amenity itself. The assessment of residential amenity should include the proposed dwelling as well as the retained dwelling on the site.

5.17 *No.174*

The property that is most likely to be affected is no.174, located directly adjacent to the proposed dwelling. No.174 is located to the southwest of the proposed dwelling and marginally higher as the land slopes slightly up away from the site. This property is a hipped roof bungalow with a lean-to rear extension on part of the rear elevation furthest away from the application site.

5.18 The proposed dwelling would project 5 metres beyond the original rear elevation of this property and have an eaves height of 5.6 metres and a ridge height of 6.8 metres on the southwest elevation. Between the side elevation of the proposed dwelling and the side elevation of the lean-to there is a maximum of 5.2 metres (along the original rear elevation) and a minimum of 4.8 metres (to the rear elevation of the lean-to). It is therefore recognised that if permitted, the proposed development would have some impact on the living conditions of the occupants of no.174.

5.19 It is therefore necessary to ascertain the extent of this identified impact and assess whether the impact would amount to be prejudicial, which is the criteria set out in policy H4.

5.20 From the rear elevation of no.174, one looks in a south-easterly direction. The orientation of the properties means that any overshadowing would only affect no.174 in the early- to mid-morning and there would be little impact from midday onwards. Although there may be some overshadowing, as this is limited in time and season, it is not considered to amount to a prejudicial impact.

5.21 The next assessment is whether it would be overbearing. The proposed dwelling has been designed carefully to minimise the overall height and massing. By doing so, the overall height of the dwelling only marginally exceeds the height of the two adjacent dormer bungalows and the proportions and relationship between the two properties is considered acceptable. Within close proximity of the application site, there are examples of such a relationship. An example is the relationship between nos.178 and 180. No.178 sits to the southwest of no.180 and projects approximately 5 metres to the rear. These are full two-storey dwellings and therefore the opportunity to be overbearing is amplified.

5.22 Two windows are proposed in the southwest elevation; one on the ground floor serves a toilet, the other on the first floor serves a bathroom. A condition will be attached that requires these windows to be obscure glazed to maintain levels of privacy.

5.23 *No.176*

The proposed development may also have an impact on the living conditions of no.176. Part of the garden to this property would be lost to the new dwelling. The property benefits from a large garden and the loss of part of the garden would not result in inadequate private amenity space.

- 5.24 If permitted, the proposed house would project a maximum of 6.6 metres from the rear elevation of this property. The alignment of the site means that as one goes deeper into the plot, the separation between no.176 and the proposed dwelling increases. This therefore limits the extent to which the impacts on residential amenity can be considered prejudicial.
- 5.25 The proposed dwelling would be located to the southwest of no.176. The orientation of the properties means that any overshadowing would only affect no.176 from midday but there would be little impact in the mornings. Although there may be some overshadowing and this overshadowing is likely to have more impact than the shadowing to no.174, as this is limited in time and season, it is not considered to amount to a prejudicial impact on residential amenity.
- 5.26 As with the assessment for no.174, the proposed dwelling is not considered to be overbearing. Despite the projection from the rear elevation being greater, the design of the proposed dwelling breaks up the northeast elevation by staggering the width of the proposed house and introducing two ridge lines. The effect of this is that the mass of the property is reduced and the eye does not meet a solid and continuous block of building. This assists in reducing any overbearing impact to the level where it is not considered to be prejudicial.
- 5.27 A number of windows are proposed that may affect levels of privacy afforded to no.176. Namely, these are the two windows in the northeast elevation that would look out over the rear garden of no.176 directly behind the rear elevation of that house and the windows on the northwest elevation to the left hand of the front door which would look at the rear of no.176. If left unobscured, these windows would have a significant and harmful impact on the living conditions of no.176. A condition will therefore be attached that requires the aforementioned windows to be obscure glazed.
- 5.28 *Other Properties*  
The two properties to either side of the application site would be most affected. The land to the rear is open countryside within the green belt and therefore undeveloped. Opposite the effect of the development, if permitted, would not have a material impact on living conditions over and above the existing situation. As such, the impact on other properties is considered to be low and therefore acceptable. A construction hours condition will be attached to protect levels of residential amenity during the construction of the property.
- 5.29 Transport and Parking  
Access to the proposed dwelling would be provided from the existing site access. In order to provide access to no.176, a new access would need to be formed. As a new access could be created (if undertaken separately from the proposed development) as permitted development, the principle of a new access is established as acceptable.
- 5.30 The Residential Parking Standard requires new development to provide adequate off-street parking. What is considered adequate is set by the number

of bedrooms in a property. Three- and four-bedroom properties require the provision of two off-street parking spaces.

- 5.31 Parking for two vehicles is provided independently for both the proposed and existing dwelling. This level of parking is considered to be sufficient to meet the needs arising from the site and to accord with the Standard.
- 5.32 Plans indicate that the areas set aside for parking and turning would be laid to gravel. In order to prevent the transfer of loose material onto the public highway (which may present a highway safety concern), a condition will be attached that requires the first 5 metres of both accesses to be constructed from a bound surface material.
- 5.33 In order to prevent vehicles manoeuvring on the public highway, a condition will be attached that requires the parking and turning areas to be completed prior to the first occupation of the new dwelling.
- 5.34 Trees and Landscape  
The existing rear garden is planted with a number of fruit trees. As these trees are excluded from the public realm and of limited visual amenity, they are unlikely to fulfil the criteria for protection under a Tree Preservation Order. The submitted plans do not show any likely conflict between trees and the proposed dwelling and affected trees are not indicated as to be retained.
- 5.35 Drainage  
The Council's drainage team has requested a SUDS condition. Whilst on initial inspection this may seem unreasonable on a small scale development such as this, the corner of Court Road and Watelys End Road has in the recent past suffered from flooding.
- 5.36 Therefore, in order to ensure that the proposed development adequately manages surface water run-off and discharge, a SUDS condition will be attached to any permission given.
- 5.37 Other Matters  
A number of matters have been raised during the public consultation period, some of which have not been addressed above. This section will respond to those matters.
- 5.38 Planning permission does not grant right of access and therefore the applicant would be required to gain the permission of any land owner for the erection of scaffolding. Any damage to such land would be a civil matter to be pursued outside of the Planning Act.
- 5.39 It has been stated that the development may be detrimental to physical and mental health. The test for a planning application is whether the proposal would have a prejudicial impact on living conditions; there is no specific test with regard to physical or mental health. Furthermore, it is considered that the tests regarding residential amenity are sufficient to ensure that any recommendation is compliant with the Equality Act 2010 and the Human Rights Act 1998.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

- 7.1 It is recommended that planning permission be GRANTED subject to the conditions listed below.

**Contact Officer: Griff Bunce**  
**Tel. No. 01454 863438**

## CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

3. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason



To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

4. Notwithstanding the submitted plans, the boundary treatment in the front garden to be erected between no.176 Watleys End Road and the dwellinghouse hereby permitted shall be constructed in the style of a local dry-stone wall. For the avoidance of doubt, a timber fence in this location is inappropriate.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the Watleys End Village Design Statement (Endorsed) March 2013.

5. The off-street parking facilities shown on the plan hereby approved, for both the proposed dwelling and the existing dwelling, shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the Residential Parking Standard SPD (Adopted) December 2013.

6. Notwithstanding the submitted plans, prior to the first occupation of the dwellinghouse hereby permitted and prior to the first use of the new access to serve no.176 Watleys End Road, the first 5 metres of both accesses shall be of a bound surface only and thereafter retained as such.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

7. Prior to the first use of the dwelling hereby permitted, and at all times thereafter, the proposed windows on the side elevations and the ground and first floor windows to the left hand side of the front door on the northwest elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

8. No windows other than those shown on the plans hereby approved shall be inserted at any time in the northeast or southwest elevations of the property.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

9. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 Monday to Friday, 0800 to 1300 Saturdays, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of nearby occupiers during construction and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the provisions of the National Planning Policy Framework March 2012.

